

The Gazette of India



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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 18th January, 1963 :—

Issue No.	No. and Date	Issued by	Subject
4	S. O. 116, dated 9th January, 1963.	Ministry of Commerce & Industry.	Rescinding the notification No. S.O. 2636, dated the 26th October, 1960.
	S. O. 117, dated 9th January 1963.	Ditto.	Declaring that no person shall, save with the permission of the Central Government, enter into any forward contract for the sale or purchase of silver.
	S. O. 118, dated 9th January, 1963.	Ditto.	Rescinding the notification No. S. O. 2638, dated the 26th October, 1960.
	S. O. 119, dated 9th January, 1963.	Ditto.	Prohibiting forward contracts for the sale or purchase of silver.
	S. O. 120, dated 9th January, 1963.	Ditto.	Declaring that no person shall, save with the permission of the Central Government enter into any non-transferable Specific delivery contract for the sale or purchase of silver.
5	S. O. 121, dated 9th January, 1963.	Ministry of Finance	Prescribing rupees one hundred as the fee for the making of an application for the issue of a licence.
	S. O. 122, dated 9th January, 1963.	Ditto.	Directives that for the issue of a licence shall be made in the prescribed form
	S. O. 123, dated 9th January 1963.	Ditto.	Directives that the licence shall be issued in the prescribed form.

Issue No.	No. and Date	Issued by	Subject
	S. O. 124, dated 9th January, 1963.		Directives that the return referred to in Clause(a), (1) or (c) of sub-rule (1) of rule 126F of the said Rules shall be made in the prescribed form.
	S. O. 125, dated 9th January, 1963.	Ditto.	Directives that the declaration referred to in sub-rule (1) of rule 126 I of the said Rules shall be made in the prescribed form.
	S. O. 126, dated 9th January, 1963.	Ditto.	Directives that the further declaration referred to in sub-rules (4), (5) and (6) of the said Rules shall be made in the prescribed form.
	S. O. 127, dated 9th January, 1963.	Ditto.	Directives that the further return referred to in Clause (a) of sub-rule (1) of Rule 128F of the said Rules, shall be made at monthly interval, within a period of seven days from the end of the month in respect of which such return is made in the prescribed form.
	S. O. 128, dated 9th January, 1963.	Ditto.	Directives that the account referred to in the said sub-rule shall be made in the prescribed form.
	S. O. 129, dated 9th January, 1963.	Ditto.	Authorising the officers of the Central Excise Department who shall exercise powers of the Gold Board in relation to the matters specified in the corresponding entries in column 3 and 4 of the Table annexed.
	S. O. 130, dated 9th January, 1963.	Ditto.	Authorising the officers of the Central Excise Department not inferior in rank to officers specified in column 2 of the table below as the persons who shall exercise any or all the powers of the Gold Board in relation to the matters specified in the corresponding entries in column 3 and column 4 of the said table.
6	S. O. 131, dated 10th January, 1963.	Ministry of Mines & Fuel	Making further arrangement in the notification No. S.O. 3197, dated the 20th October, 1962.

Issue No.	No. and Date	Issued by	Subject
7.	S. O. 132, dated 11th January, 1963.	Ministry of Finance	Authorising the officers of the Union Territory of Goa, Daman and Diu not inferior in rank to officers specified in column 2 of the Table below who shall exercise any or all the powers of the Goa Board in relation to matters specified in the
8.	S. O. 196, dated 14th January, 1963.	Ministry of Information & Broadcasting.	Approval of films specified therein.
	S. O. 197, dated 14th January, 1963.	Ditto.	Approval of films specified therein.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 16th January 1963

S.O. 206.—In pursuance of section 106 of the Representation of the People Act, 1951, the Election Commission hereby publishes the Order pronounced on the 27th December 1962 (with annexure—Order dated the 14th November, 1962), by the Election Tribunal, Ratlam.

IN THE COURT OF MEMBER ELECTION TRIBUNAL, RATLAM, M.P.

ELECTION PETITION NO. 213/62.

Basantilal S/o Ratanlalji Mahajan, R/o Mandsaur, M.P.—Petitioner.

Vs.

1. Shri U. M. Trivedi R/o Neemuch.
2. Dr. Raghbir Singh of Sitamau.
3. Shri Virendrasingh Nahta R/o Rampura—Respondents.

ORDER

(Delivered on 27th Dec. 1962.)

This is a review application U/s 47 Rule 1 against the order dated 14-11-1962 of this Court in Election Petition No. 213/62 in case of Basantilal Vs. U. M. Trivedi and others.

2. The undisputed facts of the case are that the respondents No. 1, 2 and 3 were the contesting candidates for 36 Mandsaur Parliamentary constituency in the last general election. Along with the respondents Shri Bhagwandas, Shri Vimal-kumar Chordia, Shri Govindsingh and Parasuram Patidar had also filed their nomination papers for 36, Mandsaur Parliamentary seat. They however withdrew

their nomination papers for the same seat before the appointed date. The respondent No. 1 and Vimalkumar Chordia had filed their nominations for the Parliamentary seat on behalf of Jansangh party. The respondent No. 2 and Shri Govind-singh had filed their nominations for the same seat on behalf of congress party. Shri Bhagwandas was a candidate for Hindu Mahasabha and Shri Parasuram Patidar had filed his nomination on behalf of the Independant party. Respondent No. 3 contested the election as a candidate for the Swatantra party. Respondent No. 1 was duly elected to the seat as he obtained a majority of valid votes. The result of the election was announced on 27-2-1962.

3. The petitioner filed this Election Petition challenging the election of respondent No. 1 to the Mandsaur Parliamentary constituency seat on the ground that he or his agents committed corrupt practices during his election campaign and therefore the election of respondent No. 1 is void. He has also alleged in the Election Petition that Shri Vimalkumar Chordia at Shyamgarh committed a corrupt practice in so far he, in a meeting, stated that giving one vote to congress would amount to slaughter of one Cow and would amount to sin leading to the destruction of Hindu religion. The respondent No. 2 denied the various corrupt practices attributed to him and his agents during the last general election. He, by his application filed on 12th November 1962, stated that Dr. Laxminarayan, Sunderlal, Champalal, Mohansingh, Mohanlal, Vimalkumar Chordia and Basantilal Sharma were necessary parties to the Election Petition and as they were not so made, the Election Petition deserves a dismissal. This Election Tribunal vide its order dated 14th November, 1962 rejected the application of the respondent No. 1 filed on 12th November, 1962.

4. The case for the respondent No. 1 is that this Election Tribunal by rejecting the application U/s 90(3) of the Representation of the People Act (hereafter called the Act) committed an error patent on the face of the record as Shri Vimalkumar Chordia was a candidate for the Mandsaur Assembly constituency and he being so was a necessary party to the petition. According to him the Election Petition, therefore deserves to be dismissed after review of the previous order.

5. The respondent No. 1 and the petitioner stated that the review application is not maintainable as there is no provision in law. They denied that there was any error patent on the face of the record, when the order dated 14th November, 1962 was passed. They stated that Vimalkumar Chordia against whom allegations of corrupt practice are made in the petition is a different Vimalkumar, than the one who was a candidate for the Mandsaur Assembly constituency. They pray for the dismissal of the review application.

6. The learned counsel for the petitioner has drawn my attention to Sec. 92 of the Act and has contended that Civil Procedure Code is applicable to the Election petition only for the purposes given under that section and as the powers of review bestowed on a Court under Order 47 Rule 1 are not included in Sec. 92 of the Act, this Court has no powers to review its own order. I am, afraid the contention is incorrect in view of the decision in 15 E.L.R. 199 in case of Balwansingh Vs. Election Tribunal, Kanpur and others. The powers of review can always be exercised by this Court. The learned Counsel for respondent No. 2 has also conceded that this Court has powers of review.

7. The next question that arises is whether there is an apparent error committed by this court in its order dated 14th November 1962? It will be seen that the respondent No 1 had in his application filed on 12th November 1962 stated that Dr. Laxminarayan, Sunderlal, Champalal, Mohansingh, Mohanlal, Basantilal Sharma, Vimalkumar Chordia, are necessary parties to this petition. It may be mentioned that Dr. Laxminarayan Pandey, Sunderlal Patwa, Champalal Arya, Mohansingh, Mohanlal and Basantilal Sharma were candidates for different Assembly seats in the last general Election. The respondent No. 2 had on the basis of the decision in Election Petition No. 314/62 before the Election Tribunal Aligarh had contended that the aforesaid candidates were the necessary parties to this election petition as the petitioner had alleged corrupt practices against them, though they were candidates for Assembly seats. This Election Tribunal, however by its order dt. 14th November 1962 negatived the contention of the respondent No. 1. A closer scrutiny of the aforesaid order would show that this Election Tribunal completely overlooked the allegations of respondent No. 1 in his application that Vimalkumar Chordia was a candidate for the Mandsaur Parliamentary seat. This Tribunal, nowhere has discussed in his order the allegation that Vimalkumar Chordia was a candidate for the Parliamentary constituency of Mandsaur. Had this Election Tribunal considered the matter surely it would not have dismissed the respondent No. 1's application filed on 12th November 1962. Thus the error is apparent on the face of the record.

8. The learned counsel for the respondent No. 2 has drawn my attention to 1962 M.P.L.J. 1112 in case of Mohansingh Vs. Bhanwarlal Nahta and others and has

contended that whether a candidate who has withdrawn his candidature before the Election, is a candidate for being joined as a necessary party U/s 82(b) of the Act, is debatable point as held by their lordships, and therefore the error cannot be said to be patent on the face of the record. Here again at this stage this election Tribunal is not bound to enter in to the controversy whether Vimalkumar Chordia is a candidate for the purposes of Sec. 82(b) of the Act. This Tribunal at this stage has only to consider whether there has been a patent error in passing the order dt. 14th November 1962.? I have already pointed out above that this Election Tribunal completely overlooked the allegations in the petition that Vimalkumar Chordia was a dummy candidate for respondent No. 1 for the Mandsaur Parliamentary seat, and had withdrawn his nomination paper on the appointed date before the election.

9. The learned counsel for the respondent No. 2 has next drawn my attention to A.I.R. 1947 Nagpur 48, in case of Narayan Ramchandra and others Vs. Gokuldas Bholadas and has contended that where the plea is raised and there is no reference of the plea and no decision of the plea in the order it must be deemed that the plea was decided against the person who raised it. On the aforesaid decision the learned counsel for the respondent No. 2 contends that this Court cannot now hear the same point again. I am afraid, the facts leading to the decision of the aforesaid Nagpur case are quite different from the facts of this case and therefore, the principle laid therein cannot be applied to the facts of this case.

10. The learned counsel for the petitioner has drawn my attention to Sec. 79 of the Act and says that "Candidate" means a person who has been or claims to have been duly nominated as a candidate at any election, any such person shall be deemed to have been a candidate as from the time, when with the election in prospect, he began to hold himself out as a prospective candidate. Thus according to him a candidate for the purposes of Sec. 82(b) of the Act necessarily includes a candidate who is not nominated as such, but he also should hold himself out as a candidate. Thus a candidate who has withdrawn from the contest, cannot be said to be a candidate unless he holds out himself as such. In other words a candidate who has withdrawn his nomination paper is not a candidate for the purposes of Sec. 82(b) of the Act. The interpretation put forth by the learned counsel for the petitioner is incorrect and misleading. The comma put forth after the word election in Sec. 79(b) of the Act clearly indicates that the first part of section 79(b) is independent of the part coming after the comma. Thus a candidate for the purposes of Sec. 82(b) of the Act, need not hold himself out as a candidate. He is a candidate as soon as he is nominated as such. The learned counsel for the respondent No. 2 has drawn my attention to 2 E.L.R. page 283 in case of Sitaram Heerachand Birla Vs. Yograjsingh Shankarsingh Parihar, 8 E.L.R. page 66 in case of K. S. Subramania Goundar Vs. Election Tribunal and others, and also to 17 E.L.R. page 475 in case of Kapildeo Vs. Surajnarayan, where in it has been laid down that a candidate who had withdrawn his nomination paper is not a candidate for the purposes of Sec. 82(b) of the Act. I am afraid, the former 2 cases were decided before the amendment to Sec. 82 of the Act came in force and therefore the law laid there in cannot be taken as a correct guide for deciding the point here. The decision in Kapildeo Vs. Surajnarayan has been descended to in 22 E.L.R. page 321 in case of Baburao Vs. M. S. Aney, where in it has been laid down that for the purposes of Sec. 82(b) a candidate who had withdrawn his candidature U/s 37 is still a candidate, and if allegations of corrupt practices are made against such a person in an election petition, he must be joined as a respondent.

11. The learned counsel for the respondent No. 2 has drawn my attention to Sec. 79 of the Act and says that candidate in Sec. 79(b) means a "Candidate at Election". According to him a "Candidate at Election" is the candidate who contests the election, where as a candidate for election is the person who actually nominated for an election, but who withdraws in time and therefore he is not a candidate who contests the election. Bearing the meaning of "Candidate" in mind as propounded by him U/s 82(b) "any other candidate" means only the candidate who was a "candidate at election" in other words Sec. 82(b) requires that only the contesting candidate should be made a party if allegations of corrupt practices are made against him in the petition. If the interpretation of "any other candidate" in Sec. 82(b) is correct, as propounded by him, there was nothing to prevent the legislatures to put the words "contesting candidate" in place of "any other candidate" in Sec. 82(b) of the Act. This proposition will be further clarified by a perusal of Sec. 82(a) of the Act, where in all the contesting candidates are required to be made parties in case a declaration that the petitioner be declared elected is claimed in the petition. In Sec. 82(a) the legislatures have clearly used the word "contesting candidate" and there was nothing to prevent the legislatures in using the words "contesting candidate" in Sec. 82(b) if their intention was such. Moreover, I have in my previous orders in this election petition and in Election Petition No.

212/62 already held that if allegations of corrupt practices are made against any other candidate, the candidate against whom, such allegations are made, inspite of the facts that he has withdrawn his nomination paper is a necessary party U/s 82(b) of the Act, I do not see any reason to change my opinion here. Thus if allegations of corrupt practices are made against Vimalkumar Chordia in the Petition, he becomes a necessary party.

12. A perusal of schedule T of the petition would indicate that Shri Vimalkumar Chordia committed corrupt practice at Shyamgarh by delivering a speech during the election. The petitioner himself admits that Shri Vimalkumar Chordia was a dummy candidate of Jansangh for Mandsaur Parliamentary seat. Thus for the purposes of Sec. 82(b) he is included in "any other candidate". He becomes a necessary party to the petition.

13. The learned counsel for the respondent No. 2 has next contended that Shri Vimalkumar Chordia who delivered a speech in Shyamgarh meeting, is not the same Vimalkumar Chordia who has been mentioned in paras 2, 3, and 4 of the petition. An attempt has been made by the petitioner during the evidence stage to show that Shri Vimalkumar Chordia who delivered the speech at Shyamgarh was from Rajasthan and not from Bhanpura. The petitioners witness Baburao P/w4 goes a step further and says that Shri Vimalkumar who spoke at Shyamgarh was not Vimalkumar Chordia at all but was simply Vimalkumar. Baburao's evidence on that score is utterly unreliable in view of the fact that in Schedule T of the petition, the name of Shri Vimalkumar Chordia has been mentioned. Vimalkumar Chordia has been examined as R-1W/1. He says that he was the person who addressed the meeting at Shyamgarh on 13th February 1962 and that he was also a dummy candidate for Mandsaur Assembly constituency and that he canvassed for Jansangh in the last election. He further stated that there is no Jansangh worker by name Vimalkumar in Rajasthan. In view of the contradictions in the pleadings and the evidence of the petitioner, I do not place any reliance when he says that Vimalkumar Chordia of Schedule T of the petition is another person from Vimalkumar Chordia mentioned in paragraphs 2, 3 and 4 of the petition. His attempt improve matters during evidence stage, has proved to be unconvincing. Moreover according to law of interpretations a word used twice in the same contest at two different places, conveys the same meaning. Thus Vimalkumar Chordia in paragraphs 2, 3 and 4 of the petition is the same Vimalkumar Chordia, who has been mentioned in schedule T of the petition.

14. Vimalkumar Chordia against whom allegations of corrupt practices have been made, has not been joined as a party. He is a necessary party to the petition, and therefore, the petition must fail in the absence of a necessary party from record under Sec. 90(3) of the Act.

15. In the result, the review petition is allowed. My order dt. 14th November, 1962 is set aside. The election petition is dismissed U/s 90(3) of the Act in view of Shri Vimalkumar Chordia not being made a party. I would have saddled the petitioner with full costs of the petition, if the respondent No. 1 had taken this plea at the time he filed his written statement. Even if he had drawn my attention during the time when I heard arguments on his application filed before this Tribunal on 12th November 1962. I would have allowed him costs, but my attention has been drawn to this important fact at a very late stage when I had recorded evidence in the case completely. The respondent No. 1 therefore deserves to be penalized for lapses on his part. I, therefore, order the parties to bear their own costs. The security amount shall be refunded to the petitioner after the period of appeal is over, if no appeal is filed. It shall be refunded to the petitioner after the disposal of the appeal if an appeal is filed.

C. N. SEWAK, Member.
Election Tribunal Ratlam.

ANNEXURE

IN THE COURT OF MEMBER ELECTION TRIBUNAL RATLAM, M.P.
ELECTION PETITION No. 213/62.

Basantilal S/o Ratanlal Jain R/o, Mandsaur.—Petitioner.

Vs.

1. Umashankar S/o Muljibhai Trivedi Bar-at-law of Neemuch Cant.
2. Dr. Raghubirsingh S/o Raja Ram.
Singh of Sitamau. } Respondents.
3. Virendra Singh S/o Chhaganlal Nahata R/o Rampura.

ORDER

Delivered on 14th November, 1962.

This is an application under Section 90(3) of the Representation of People Act for dismissing the Election Petition.

2. The facts leading to this application are that the petitioner is a voter of 282 Mandsaur Assembly Constituency. His name is entered at No. 124 in the voters list of Mandsaur Constituency. The respondents Nos. 1, 2 and 3 were the contesting candidates for 36 Mandsaur Parliamentary Constituency. Along with the respondents Shri Bhagwandas, Shri Vimal Kumar Chordia, Shri Govind Singh and Shri Parashuram Patidar had filed their nomination papers. They withdrew their nominations before the appointed date for the Mandsaur Parliamentary seat. The respondent No. 1 was the Jansangh candidate, Respondent No. 2 was Congress candidate and Respondent No. 3 was the Swatantra Party candidate. Shri Vimal Kumar Chordia was the dummy candidate of Jansangh, Govind-singh was the dummy Congress candidate and Shri Parashuram Patidar was an independent candidate. Respondent No. 1 was duly elected to the Mandsaur Parliamentary seat. He secured 1,17,850 votes. The result of the election was announced on 27th February, 1962. The petitioner has challenged the election of respondent No. 1 to the Mandsaur Parliamentary seat on the ground that he or his agents committed various corrupt practices during and before the election.

3. The respondent No. 1 applicant has stated that the allegations of corrupt practices committed by Dr. Laxminarayan Panday, M.L.A. of Jaora, Shri Sundarlal Patwa, M.L.A. of Manasa, Shri Champalal Arya, M.L.A. of Suvasra, Shri Mohansingh, M.L.A., of Sitamaum, Shri Mohan Lal Malawada of Garoth, Shri Vimal Kumar Chordia of Bhanpura and Shri Bansantilal Sharma, have been made in the election petition. They are necessary parties under Section 82 of the Representation of People Act and as they have not been made parties in the petition the election petition deserves to be dismissed.

4. The petitioner nonapplicant states that all the persons mentioned by the applicant were not candidates at the election of the Parliamentary constituency of Mandsaur and therefore they are not necessary parties to the petition. He prayed for the dismissal of the application.

5. The only point for determination in this application is whether the persons named above by the applicant are necessary parties to the petition? The learned counsel for the applicant has drawn my attention to the notification No. S.O. 3202, dated New Delhi, 16th October, 1962, which reproduce the judgement in the Election Petition No. 314/62 of the Election Tribunal Aligarh. The aforesaid judgement clearly lays down that in view of the definitions of the words 'candidate' and 'election' as given in the Representation of People Act the words 'any other candidate' in Section 82(b) would include a candidate in another constituency also in the election. The learned Election Tribunal therefore came to the conclusion that the election petition No. 314/62 was not maintainable as Shri B. P. Maurya who was a candidate in other Constituency and against whom allegations of corrupt practices were made by the petitioner was not made a party to the election which was in respect to another constituency.

6. It may be mentioned at the very beginning here that the judgement of the Election Tribunal Aligarh is not binding on this Tribunal. However, it can be looked into for deciding whether the persons named by the applicant are in fact necessary parties to the petition pending before this Election Tribunal. The learned Election Tribunal Aligarh has while discussing the meaning of the word 'candidate' and 'Election' in its judgement has concluded that the word 'candidate' means any other candidate at any other election. According to the learned Tribunal Aligarh 'election' means the election of any constituency. I am afraid I do not agree with the interpretation put forth by the learned Election Tribunal of Aligarh. If the intention of the Legislature was as has been interpreted by the learned Election Tribunal Aligarh, the result would be nothing sort of chaos.

7. In illustration I will cite a simple example. 'A' candidate of Constituency in Calcutta comes and does canvassing for 'B' who is a candidate at Mandsaur Constituency and during the election propaganda 'A' commits corrupt practices as an agent of 'B' and an election petition is filed before the Election Tribunal appointed by the Election Commission for the trial of the Election Petition with respect to the Election of 'B' at Ratlam. If the interpretation put forth by the learned Election Tribunal Aligarh is taken to be correct 'A' becomes a necessary

party Under Section 86 of the Representation of People Act, the Election Commission has to appoint Election Tribunal and it will rather embarrassing for the election commission to appoint a Tribunal.

8. Under the aforesaid provision 'A' will be within the jurisdiction of one Tribunal and 'B' will be within the jurisdiction of another Tribunal. A numerable difficulties will appear before the Election Tribunals during the trial of an Election Petition if the interpretation of the learned Aligarh Tribunal is accepted. In my opinion 'candidate' as defined in Section 79 of the Representation of People Act means a person who has been or claims to have been duly nominated as a candidate at particular election and not a candidate who has been as such at a different election. 'Election' as defined under Section 2 of the Representation of People Act means an election to fill a seat in either house of Parliament or either House of the Legislature of a State other than the State of Jammu and Kashmir. The Election that is contemplated by Section 82 of the Representation of People Act means that particular election which is challenged before the Election Tribunal and not any other election in which the person who stands as a candidate has committed corrupt practices. There is, thus, no force in the argument of the learned counsel for the applicant.

9. I, therefore, conclude that the persons named in the application of the applicant are not necessary parties to this election petition before me as they were not candidates with respect to the election to Mandsaur Parliamentary Constituency.

10. The result is that the application is rejected. The election petition will proceed.

Sd./- C. N. SEVAK,
Member Election Tribunal,
Ratlam, M.P.

True Copy

Sd./-

Member Election Tribunal,
Ratlam (M.P.).

[No. 82/213/62.]

K. S. RAJAGOPALAN, Under Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 16th January 1963

S.O. 207.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President, with the consent of the Government of Punjab, hereby entrusts also to (i) the Superintendents of Police, Hissar, Rohtak, Gurgaon, Karnal, Ambala, Simla, Kangra, Hoshiarpur, Jullundur, Ludhiana, Gurdaspur, Patiala, Bhatinda, Kapurthala, Sangrur and Mohindergarh; (ii) the Senior Superintendents of Police, Ferozepur city and Amritsar; and (iii) the Assistant Superintendent of Police, Lahaul and Spiti, under the Government of Punjab, within their respective jurisdictions, the functions of the Central Government in making orders of the nature specified in clauses (a), (b), (c) and (cc) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946), subject to the following conditions, namely:—

- (a) that the functions so entrusted shall be exercised in respect of nationals of Pakistan;
- (b) that in the exercise of such functions the said Superintendents of Police, Senior Superintendents of Police and Assistant Superintendent of police shall comply with such general or special directions as the Government of Punjab or the Central Government may from time to time issue; and
- (c) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No. 1/47/62-F. III.]

S.O. 208.—In exercise of the powers conferred by clause (2) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Authentication (Orders and other Instruments) Rules, 1958 (Published with the notification of the Government of India in the Ministry of Home Affairs, No. S.O. 2297, dated the 3rd November, 1958), namely:—

1. These rules may be called the authentication (Orders and other Instruments) Second Amendment Rules, 1963.
2. In rule 2 of the Authentication (Orders and other Instruments) Rules, 1958—
 - (i) in clause (u), the word "or" shall be inserted at the end;
 - (ii) after clause (u), the following clause shall be inserted, namely:—

"(v) in the case of orders and other instruments relating to the Ministry of Scientific Research and Cultural Affairs, by the Deputy Educational Adviser or the Assistant Educational Adviser working in the Ministry proper".

[No. F. 3/10/62-Pub. I.]

FATEH SINGH, Jt. Secy.

CABINET SECRETARIAT

(Department of Statistics)

New Delhi, the 15th January 1963

S.O. 209.—In exercise of the powers conferred by sub-section (1) of section 8 of the Indian Statistical Institute Act, 1959 (57 of 1959), the Central Government hereby appoints a Committee consisting of:—

Chairman

1. Prof. D. C. Sharma, Member, Lok Sabha

Members

2. Dr. S. Hussain Zaheer, Director General, Council of Scientific and Industrial Research, New Delhi
3. Shri S. Basu, Joint Secretary, Indian Statistical Institute, Calcutta.
4. Shri R. P. Padhi, Joint Secretary, Ministry of Finance, Department of Expenditure,

Member-Secretary

5. Shri M. Balakrishna Menon, Deputy Secretary, Department of Statistics, and assigns to such committee the following duties, namely:—

- (a) the preparation and submission to the Central Government, of statements showing programmes of work agreed to be undertaken by the Institute during the financial year 1963-64 for which the Central Government may provide funds, as well as general financial estimates in respect of such work; and
- (b) the settlement on broad lines of the programme of such work.

2. The Department of Statistics will perform the Secretariat functions of the Committee, the headquarters of which will be at New Delhi.

[No. 10/3/62-Estt. III.]

M. BALAKRISHNA MENON, Dy. Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 15th January 1963

S.O. 210.—In exercise of the powers conferred by clause (c) of sub-section (1) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934) the Central Government hereby nominates Shri C. P. N. Singh as a Director of the Central Board of

the Reserve Bank of India, vice Shri D. N. Mitra, with effect from the 15th January, 1963.

[No. F. 3(73)-BC/62.]

S.O. 211.—In exercise of the powers conferred by clause (c) of sub-section (1) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), read with sub-section (7) of the said section, the Central Government hereby renominates Col. B. H. Zaidi as a Director of the Central Board of the Reserve Bank of India, with effect from the 15th January, 1963.

[No. F. 3(73)-BC/62.]

R. K. SESHADRI, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 15th January, 1963

S.O. 212—Statement of the Affairs of the Reserve Bank of India, as on the 4th January, 1963

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	16,97,71,000
Reserve Fund	80,00,00,000	Rupee Coin	2,49,000
National Agricultural Credit (Long Term Operations) Fund	61,00,00,000	Small Coin	2,60,000
National Agricultural Credit (Stabilisation) Fund	7,00,00,000	National Agricultural Credit (Long Term Operations) Fund (a) Loans and Advances to :— (i) State Governments	23,94,76,000
Deposits :—		(ii) State Co-operative Banks	11,35,84,000
(a) Government		(iii) Central Land Mortgage Banks
(i) Central Government	53,79,13,000	(b) Investment in Central Land Mortgage Bank Debentures	2,84,88,000
(ii) State Governments	15,78,99,000	National Agricultural Credit (Stabilisation) Fund Loans and Advances to State Co-operative Banks
(b) Banks		Bills Purchased and Discounted :—	
(i) Scheduled Banks	75,25,95,000	(a) Internal
(ii) State Co-operative Banks	2,19,94,000	(b) External
(iii) Other Banks	6,43,000	(c) Government Treasury Bills	72,09,28,000
(c) Others	163,09,89,000	Balances Held Abroad*	8,79,15,000
Bills Payable	32,67,83,000	Loans and Advances to Governments**	12,45,22,000
Other Liabilities	47,39,13,000	Loans and Advances to :—	
Rupees	543,27,29,000	(i) Scheduled Banks†	19,44,75,000
		(ii) State Co-operative Banks†	137,42,85,000
		(iii) Others	1,42,57,000
		Investments	203,48,96,000
		Other Assets	32,96,23,000
		Rupees	543,27,29,000

*Includes Cash and Short-term Securities.

**Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 10,31,00,000 advanced to scheduled banks against usance bills under Section 17(4) (c) of the Reserve Bank of India Act.

‡Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 9th January 1963.

ISSUE DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Notes held in the Banking Department	16,97,71,000	Gold Coin and Bullion :—	
Notes in circulation	2154,04,93,000	(a) Held in India	117,76,10,000
Total Notes issued	2171,02,64,000	(b) Held outside India	..
TOTAL LIABILITIES	2171,02,64,000	Foreign Securities	88,08,43,000
		TOTAL	205,84,53,000
		Rupee Coin	121,74,51,000
		Government of India Rupee Securities	1843,43,60,000
		Internal Bills of Exchange and other commercial paper	..
		TOTAL ASSETS	2171,02,64,000

Dated the 9th day of January, 1963.

P. C. BHATTACHARYYA,
Governor.

[No. F. 3(2)-BC/63.]
A. BAKSI, Jt. Secy.

(Department of Economic Affairs)

CORRIGANDA

New Delhi, the 15th January 1963

S.O. 213.—Corrigenda to the Gazette Notifications dated the 26th December, 1962 published in Part II, Section 3 sub-section (ii) of the Gazette of India Extraordinary dated the 28th December, 1962 under Nos. S.O. 3945 and S.O. 3946:—

In the Second Schedule to the Emergency Risks (Goods) Insurance Scheme,

(i) The words "Serial No." shall be deleted.

(ii) After the entry "The insured's business . . ." the entry "The goods insured . . ." shall be inserted.

In the Third Schedule to the Emergency Risks (Factories) Insurance Scheme, for

"(See Paragraph 18)"

"(See Paragraph 13)" shall be substituted.

[No. F. 101(15)-INS.I.63-ERI.]

V. P. MITHAL, Under Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 15th January 1963

S.O. 214.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and in supersession of all previous notifications in this regard, the Central Board of Revenue hereby directs that the Appellate Assistant Commissioners of Income-tax of the Ranges specified in column 1 of the schedule below shall perform their functions in respect of all persons and incomes assessed to income-tax or super-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column 2 thereof:—

SCHEDULE

Range	Income-tax Circles, Wards and Districts.
1	2

'A' Range, Madras.	<ol style="list-style-type: none"> 1. Madras Circle I. 2. Madras City Circle II. 3. Madras City Circle V. 4. Madras (Special) Circle. 5. Special Circle, Madras. 6. Foreign Section, Madras. 7. Central Circles I & II, Madras. 8. Estate Duty <i>cum</i> Income-tax Circle, Madras 9. Madras Special (Central) Circle. 10. Special Investigation Circle A, Madras. 11. Special Investigation Circle B, Madras. 12. Kancheepuram Circle. 13. Cuddalore Circle.
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'B' Range, Madras.	<ol style="list-style-type: none"> 1. Madras City Circle III. 2. Madras City Circle IV. 3. Salaries Circle, Madras. 4. Special Survey Circle No. I, Madras. 5. Special Survey Circle, Madras. 6. Vellore Circle. 7. Salem Circle. 8. Estate Duty <i>cum</i> Income-tax Circle, Salem.
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Tiruchirapalli.

1. Tiruchirapalli Circle.
2. Pudukkottai Circle.
3. Karaikudi Circle.
4. Thanjavur Circle.
5. Nagapattinam Circle.

Madurai.

1. Madurai Circle.
2. Estate Duty *cum* Income-tax Circle, Madurai.
3. Virudhunagar Circle.
4. Tuticorin Circle.
5. Tirunelveli Circle.
6. Nagercoil Circle.
7. Dindigul Circle.
8. Special Survey Circle, Madurai.

Coimbatore.

1. Coimbatore Circle.
2. Special Survey Circle, Coimbatore.
3. Special Investigation Circle, Coimbatore.
4. Estate Duty *cum* Income-tax Circle, Coimbatore.
5. Erode Circle.
6. Excess Profit Tax Circles, Coimbatore & Erode.
7. Ootacamund Circle.

Where an Income-tax Circle, Ward or District or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of the Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall, from the date this notification shall take effect, be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from 1st day of February, 1963.

Explanatory Note

NOTE: The amendments have become necessary on account of the Re-organisation of the Appellate Ranges in the charge of C.I.T., Madras.

(This note does not form a part of the notification but is merely clarificatory).

[No. 4 F. No. 50/12/62-IT.]

J. RAMA IYER, Under Secy.

CENTRAL EXCISE COLLECTORATE: ALLAHABAD

CENTRAL EXCISES

Allahabad, the 31st December 1962

S.O. 215.—In pursuance of Rule 5 of the Central Excise Rules, 1944, I empower the officers mentioned in Column 2 of the Table below, to exercise within their respective jurisdictions the powers prescribed for Collector under the different rules in Sections C-1, E.VII of Chapter V of the Central Excise Rules, 1944 as mentioned

against each in column 3 of the said Table subject to the extent of delegation indicated in Column 4 thereof:—

Sl. No.	Designation of the Officers	No. of Rules	Extent of Delegation
1 Assistant Collector	96-Y(3)		To determine the period for which a manufacturer may be precluded from working under special procedure for failure to give proper notice.
	96-Y(4)		To condone delay in submission of ASP application for renewal exceeding 15 days.
	96-Z(2)		To condone delay in submission of application for removal in form A.R. 6 and to condone delays in making monthly deposits exceeding 5 days.
	96-ZZZ(i)		To demand duty at full rate.
	96-ZZZ(iii)		To debar a manufacturer from availing of special procedure.
2 Superintendent	96-Y(1)		To accept first ASP application for full period for which special procedure can be availed of.
	96-Y(2)		To accept first ASP application for a period less than the prescribed period.
	96-Y(4)	(a) To accept renewal applications in form A.S.P. (b) To condone delay in submission of ASP application for renewal not exceeding 15 days.	
	96-Z(2)		To condone delay in submission of application for removal in form A.R. 6 and to condone delays in making monthly deposits not exceeding 5 days.
3 Adjudicating Officers.	96-ZZZ(ii) 96-ZZZ(iv)	{	To confiscate goods and to impose penalty in accordance with their normal limits of powers of adjudication.

[No. 5/62.]

S. P. KAMPANI, Collector.

CENTRAL EXCISE COLLECTORATE, NEW DELHI

CENTRAL EXCISES

New Delhi, the 16th January 1963

S.O. 216.—In exercise of the powers conferred upon me under Rule 199 of the Central Excise Rules, 1944, I hereby empower the Central Excise Officers of the Rank not below that of an Inspector, to detain any person found carrying or removing any excisable goods for the transport of which a permit or other transport document is required by these Rules, and to examine the goods and to require production of a permit or other document authorising the removal thereof.

[No. 10/62.]

K. NARASIMHAN, Collector.

COLLECTORATE OF CENTRAL EXCISE, CALCUTTA & ORISSA, CALCUTTA.

CENTRAL EXCISE

Calcutta, the 8th January 1963

S.O. 217.—In exercise of the powers conferred on me under rule 5 of Central Excise Rules, 1944, I hereby authorise the Central Excise Officers, specified in the

following table, to exercise in their respective jurisdiction in the Collectorate of Central Excise, Calcutta & Orissa, the powers of Collector under the rules enumerated in Column 3 of the table, subject to restrictions set out in column 4 thereof:—

TABLE

Sl. No.	Rank of officer	Relevant Central Excise rul- in respect of which power is delegated.	Restrictions, if any.
1	2	3	4
1.	An Officer not below the rank of an Asstt. Collr.	96-Y(3) 96-Y(4) 96-Z(2) 96-ZZZ The power to confiscate goods and impose penalty under this rule shall be exercised by the adjudicating officers in accordance with their limits of power.
2.	An Officer not below the rank of a Superintendent.	96-Y(4) 96-Z (2)	The power to condone delay in submission of A.S.P. application for renewal shall be restricted to 15 days.
3.	Adjudicating Officers.	96-ZZZ(iv)	The power to condone delay in submission of application for removal in form A R 6 and in making monthly deposits shall be restricted to 5 days.
			The power to impose penalty under this rule shall be exercised by the adjudicating Officers in accordance with their normal limits of power.

[No. 1/63]
[No. C IV(8)1-CE/60]

VI PIN MANEKLAL, Collector

MINISTRY OF MINES & FUEL

New Delhi, the 14th January 1963

S.O. 218—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. 2781, dated the 30th August, 1962 under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in the lands in the locality specified in the Schedule appended to that notification;

And whereas the Central Government is satisfied that coal is obtainable in the whole or any part of the said lands,

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 379 acres or 153.50 hectares described in Schedule appended hereto.

The plans of the area covered by this notification may be inspected in the office of the Deputy Commissioner, Hazaribagh or in the office of the Coal Controller, 1, Council House Street, Calcutta or in the office of the National Coal Development Corporation Ltd. (Revenue Section), Darbhanga House, Ranchi.

Any person interested in the aforesaid lands may, within 30 days of the issue of this notification file objection to the acquisition of the whole or any part of the land or of any rights in or over such lands to the Coal Controller, 1, Council House Street, Calcutta.

SCHEDULE

Drawing No. Rev/83/62,
dated 2nd November,
1962.

Mining Rights.

Patratu Block (Showing lands where rights to mine, quarry, bore, dig and search for, win, work and carry away minerals are to be acquired.)

No.	Village	Thana	Thana No.	District	Area in acres	Remarks
1.	Sankul	Ramgarh	21	Hazaribagh	—	Part.
2.	Patratu	Ramgarh	22	Hazaribagh	—	Part.
Total area—379.00 Acres (Approx.) or 153.50 Hectares (Approx.)						

Plot numbers to be acquired in village Sankul:—
2034, 2035(P), 2036 to 2050, 2051(P), 2052(P).

Plot numbers to be acquired in village Patratu:—

1 to 109, 110(P), 111(P), 114(P), 115(P), 116(P), 117(P), 120(P), 140(P), 241(P), 242(P), 243(P), 244(P), 245 to 254, 255(P), 259(P), 260(P), 261(P), 262(P), 266(P), 267(P), 268(P), 269, 270(P), 272(P), 544(P), 619(P), 621(P), 627(P), 628(P), 629, 630, 631(P), 632, 633(P), 634(P), 635(P), 1372, 1373, 1380, 1381, 1382 and 1383.

Boundary Description:—

A—B line passes along the part common boundary of villages Sankul and Patratu.

B—C line passes through plot Nos. 2035, 2051, again 2035, 2052, again 2035 in village Sankul.

C—D line passes along the part Right Bank of River Damodar.

D—E line passes along the part common boundary of villages Patratu and Sayal.

E—F line passes through plot Nos.—255, 272, 270, 268, 287, 266, 262, 261, 260, 259, again 255, 244, again 255, 243, 242, 241, 140, 117, 116, 115, 114, 111, 110, 120, 344, 631, 619 in village Patratu.

F—A line passes through plot Nos. 619, 621, 627, 628, 633, 634, 636, in village Patratu (along the Railway boundary line).

[No. C2-20(21)/62.]

S.O. 310.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (35 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

SCHEDULE

Drawing No. Rev/32/62,

Dated 9th May, 1962.

Ramgarh Coalfield—Block IV

Land notified for prospecting.

Sl. No.	Village	Thana	Thana No.	District	Area in acres	Remarks
1.	Mael	Ramgarh	148	Hazaribagh	2492.33	Part
Total:—2492.33 Acres (Approx.)						
or 1209.39 Hectares (Approx.)						

Boundary Description:—

- 1—2 line passes along the common boundary of villages Dhawaiya and Mael.
 2—3 line passes along the common boundary of villages Kumhradhara and Mael.
 3—4 line passes along the common boundary of villages Sewai and Mael.
 4—5 line passes along the common boundary of villages Sanri and Mael.
 5—6 line passes along the common boundary of villages Sonr and Mael.
 6—7 line passes along the common boundary of villages Chitarpur and Mael.
 7—8 line passes along the common boundary of villages Chhotkipon and Mael.
 8—1 line passes along the common boundary of villages Borobing and Mael.

The map of this area can be inspected at the office of the National Coal Development Corporation Limited (Revenue Section), "Darbhanga House", Ranchi, or in the office of the Deputy Commissioner, Hazaribagh (Bihar).

[No. C2-20(37)/62.]

New Delhi, the 16th January 1963

S.O. 220.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

SCHEDULE
(ARGADA BLOCK EXTENSION)

Drawing No. Rev/63/62,

Dated 31st August, 1962.

(Area notified for prospecting.)

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Tongi	Mandu	135	Hazaribagh		Part
2.	Barkachumba	„	132	„		„
3.	Chapri	„	140	„		„
4.	Manuan	„	139	„		„
5.	Hesla	„	138	„		„

Total Area: 800.00 acres (Approx.)
 Or 324.00 hectares (Approx.).

Boundary Description:

- A—B Line passes through villages Barkachumba and Tongi and meeting at point B.
- B—C Line passes along the common boundaries of villages Arigada and Tongi, Barkachumba, Chapri and Hesla and meeting at point C. (which is also the boundary of N.C.D.C.'s Arigada Colliery).
- C—D Line passes along the Southern side of Railway line for a short distance, i.e., through village Hesla and meeting at point D.
- D—E—A Line passes through villages Hosla, Manuam, Chapri and Barkachumba and meeting at point A.

The map of this area can be inspected at the office of the National Coal Development Corporation Ltd., "Darbhanga House," Ranchi (Revenue Section) or at the office of the Deputy Commissioner, Hazaribagh.

[No. C2-20(38)62.]

S.O. 221.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereeto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

SCHEDULE

Drawing No. Rev/101/80,

Dated 23rd November, 1960.

Chirimiri Coalfield—Block—Anjana

Sl. No.	Village	Taluk	Settlement No.	Subdivision	Dist.	Area in acres	Remarks.
1.	Bhandavdei	Manendragarh	158	Korea	Surguja	85.00	Part
2.	Reserve Forest.	"	"	"	"	513.00	"
				Total	600.00	Acres	

Boundary Description:

- AB line passes through Reserve Forest.
- BC line passes through Reserve Forest and Bhandardei village.
- CD line passes through Bhandardei village and Reserve Forest.
- DE line passes through Reserve Forest.
- EA line passes through Reserve Forest.

The maps of the area can be inspected at the office of the National Coal Development Corporation Limited (Revenue Section), "Darbhanga House", Ranchi or at the office of the Collector, Surguja (Madhya Pradesh).

[No. C2-20(8)/61.]

P. S. KRISHNAN, Under Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Departments of Communications & Civil Aviation)

New Delhi, the 15th January 1963

S.O. 222.—In exercise of the powers conferred by Section 4 of the Air Corporations Act, 1953 (27 of 1953) and in supersession of all previous notifications and orders the Central Government hereby directs that with effect from 15th January 1963, the Indian Airlines Corporation shall consist of the following members, namely,

1. Shri Satish Chandra.
2. Shri J. R. D. Tata, Chairman, Air-India.
3. Shri S. Mullick, General Manager, Indian Airlines.

4. Shri B. R. Patel, General Manager, Air-India.
5. Shri S. R. Vasavada.
6. Shri S. S. Shiralkar, Joint Secretary, Ministry of Finance (Department of Expenditure)
7. Shri L. C. Jain, (Director General, Posts and Telegraphs.)
8. Smt. P. V. Cherian.
9. Shri M. L. Khaftan.

and appoints Shri Satish Chandra as the Chairman of the said Corporation.

[No. 3-CA(10)/62-I.]

S.O. 223.—In exercise of the powers conferred by Section 4 of the Air Corporations Act, 1953 (27 of 1953) and in supersession of all previous notifications and orders, the Central Government hereby directs that with effect from 15th January 1963 Air India Corporation shall consist of the following members, namely,

1. Shri J. R. D. Tata.
2. Shri Satish Chandra, Chairman, Indian Airlines.
3. Shri B. R. Patel, General Manager, Air-India.
4. Shri S. Mullick, General Manager, Indian Airlines.
5. Shri S. R. Vasavada.
6. Shri S. S. Shiralkar, Joint Secretary, Ministry of Finance (Department of Expenditure).
7. Shri L. C. Jain, (Director General, Posts and Telegraphs).
8. Shri M. A. Chidambaram.
9. Shri B. L. Jalan.

and appoints Shri J. R. D. Tata as the Chairman of the said Corporation.

[No. 3-CA(10)/62-II.]

M. M. PHILIP, Secy.

(Department of Communications and Civil Aviation)

(P. & T. Board)

New Delhi, the 14th January 1963

S.O. 224.—In exercise of the powers conferred by sub-rule (2) of rule 11, and clause (b) of sub-rule (2) of rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following further amendments in the notification of the Government of India in the Gazette of India, Extraordinary, Part III—General Civil Service, dated the 28th February, 1957, namely:—

In the schedule to the said notification in Part III—General Central Service, Class IV, under the heading "Railway Mail Service", against the entry "Posts" in column 1, the following brackets and words in columns 2 and 3 shall be omitted, namely:—

"(elsewhere than at Divisional Headquarters)".

[No. 44/18/62-Disc.]

D. K. AGARWAL,
Assistant Director General.

MINISTRY OF FOOD & AGRICULTURE

Department of Agriculture

New Delhi, the 14th January 1963

S.O. 225.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the

method of recruitment of persons to certain Class I posts in Delhi Administration namely:—

1. **Short title.**—These rules may be called the Delhi Development Department Agriculture and Animal Husbandry Units (Class I posts) Recruitment Rules, 1963.

2. **Application.**—These rules shall apply to the Class I posts in the Agriculture and Animal Husbandry Units of the Development Department in the Delhi Administration.

3. **Classification and scale of pay.**—The classification and the scale of pay attached to the said posts shall be as specified in column 3 and 4 of the schedule annexed to these rules.

4. **Method of recruitment, age limit and other qualifications etc.**—The method of recruitment to the posts aforesaid, age limit, qualifications and other matters connected therewith, shall be as specified in columns 5 to 13 of the said schedule.

SCHE

Recruitment Rules for the posts of Deputy Director of Agriculture and

Name of Post	No. of Posts.	Classification	Scale of Pay	Whether selection post or non-selection post.	Age limit for direct recruits.	Educational and other qualifications required for direct recruits.
1	2	3	4	5	6	7
1. Deputy Director of Animal Husbandry.	1	General Central Service Class I.	Rs. 700—40— —1100—50/2 —1250.	Not applicable.	Not applicable.	Not applicable
2. Deputy Director of Agriculture.	1	Do.	Do.	Do.	Do.	Do.

BURE*Deputy Director of Animal Husbandry in Development Department, Delhi Administration*

Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees.	Period of probation if any.	Method of recruitment whether by direct recruitment or by promotion or transfer and percentage of the vacancies to be filled by various methods.	In case of recruitment by promotion transfer, grants from which promotion to be made.	If a DPC exists what is its composition.	Circumstances in which U.P. S.C. is to be consulted in making recruitment.

8	9	10	11	12	13
Not applicable.	Not applicable.	Tenure:		Not applicable.	As required under the rules.
		By deputation of a suitable Officer holding analogous post under the State Governments.			
		(The period of tenure being four years).			
Do.	Do.	Do.		Do.	Do.

[No. 1-3/61-U.T.]

S. P. MOHONI, Under Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 15th January 1963

S.O. 226.—In pursuance of the provisions of paragraph 39 of the Employees' Provident Funds Scheme, 1952, and in partial modification of the notification of the Government of India in the late Ministry of Labour, No. S.R.O. 1859, dated the 1st October, 1952, the Central Government, after consulting the Board of Trustees constituted under the said Scheme, and having regard to the resources of the Employees' Provident Fund available for meeting its normal administrative expenses, hereby fixes two and point four (2·4) per cent of the total employer's and employees' contributions as administrative charges payable under sub-paragraph (1) of paragraph 38 of the said Scheme, in respect of—

- (a) every establishment which is a factory engaged in the manufacture of,—
 - (i) cigarettes, or
 - (ii) electrical, mechanical or general engineering products, or
 - (iii) iron and steel, or
 - (iv) paper, other than hand-made paper, and in which fifty or more persons are employed, and

(b) every establishment which may hereafter be specified by the Central Government, in pursuance of the provisions of the first proviso to sub-section (1) of section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), as the establishment to which the said proviso shall apply,

and direct that the administrative charges in respect of the establishments referred to in clause (a) shall be payable with effect from the first day of January, 1963, and that the administrative charges in respect of any establishments referred to in clause (b) shall be paid with effect from the date from which the provisions of the first proviso to sub-section (1) of section 6 of the Employee' Provident Funds Act, 1952, become applicable to it.

[No. 11/6/60-PP.II]

P. D. GAIKA, Under Secy.

New Delhi, the 15th January 1963

S.O. 227.—In exercise of the powers conferred by section 73F of the employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2665 dated the 2nd November, 1961, namely:—

In Schedule IV of the said notification, against Serial No. 8, the entries "Ballarsha" and

- 1. M/s. Dadabhoy Potteries.
- 2. M/s. Hindustan Construction Co. Ltd.
- 3. M/s. Bombay State Electricity Board."

occurring in columns 4 and 5 respectively shall be o:

[No. F. MI-6(141)/56.]

S.O. 228.—In exercise of the powers conferred by section 88 of the Employees' State Insurance Act, 1948, (34 of 1948), the Central Government hereby exempts for a period of one year the following Central Government employees, now on deputation with Messrs Hindustan Housing Factory Limited, New Delhi, from the operation of the said Act, namely:—

Sl. No.	Name of employee	Designation
1.	Shri U. C. Mittal	Stenographer
2.	Shri Jyoti Prasad	Despatch Supervisor
3.	Shri N. Navani	Stenographer
4.	Shri K. G. Mendiratta	Stenographer
5.	Shri Shridhar Singh	Record Keeper.

2. The above exemption is subject to the following conditions:—

- (i) the aforesaid factory shall maintain a register showing the names and designations of the exempted employees; and
- (ii) that notwithstanding this exemption, the exempted employees shall continue to receive such benefits under the said Act to which they might have qualified on the basis of contributions paid before the date of exemption.

[No. F. 6(62)/62-HL]

S.O. 229.—Whereas the Central Government is satisfied that the employees of the Posts and Telegraph Motor Service Workshop, Bombay, belonging to the Government of India in the Ministry of Transport and Communications, Department of Posts and Telegraphs, are otherwise in receipt of benefits substantially similar to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948);

Now, therefore, in exercise of the powers conferred by section 90 of the Employees' State Insurance Act, 1948, and in continuation of the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 218, dated 15th January, 1962, published in sub-section (ii) of Section 3 of Part II of the Gazette of India of the 20th January, 1962, the Central Government hereby exempts the above mentioned factory from all the provisions of the said Act for a further period of one year from the 15th day of January, 1963.

[No. F. 6(56)/62-HL]

S.O. 230.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2665 dated the 2nd November, 1961, namely:—

In Schedule IV of the said notification, against Serial No. 12, the entries "Kamtee" and "1. Messrs Indian Hume Pipe Company Limited," occurring in columns 4 and 3 respectively shall be omitted.

[No. F. 6(40)/62-HL]

S.O. 231.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of Government of India in the Ministry of Labour and Employment No. S.O. 2872, dated the 11th September, 1962, namely:—

In the Schedule appended to the said notification, the entries against serial Nos. 3 and 7 shall be omitted.

[No. F. 6(40)/62-HL]

O. P. TALWAR, Under Secy.

New Delhi, the 15th January 1963

S.O. 232.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to Messrs Associated Cement Companies Limited, and their workmen employed in the Kotma Colliery.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE NO. CGIT-4 or 1961

PARTIES:

Employers in relation to M/s. Associated Cement Companies Ltd.,

AND

Their workmen employed in the Kotma Colliery.

PRESENT:

Shri Salim M. Merchant—Presiding Officer.

APPEARANCES

For the Employers.—Counsel, Shri P. P. Khambatta with Shri G. L. Govil and Shri J. D. Sumariwalla, Personnel Officers and Shri K. V. Iyer, Personnel and Welfare Officer.

For the Workmen.—Shri K. B. Chougule, General Secretary, Kotma Colliery Labour Union, Shri G. C. Jaiswal, Member, Executive Committee, Indian National Mine Workers' Federation and Shri Ram Ratan Jadav, Vice-President Kotma Colliery Labour Union with Shri William Walford, the workmen directly concerned in the dispute.

INDUSTRY: Coal Mining.

STATE: Madhya Pradesh.

Dated, Bombay, 28th December 1962

AWARD

1. The Central Government by the Ministry of Labour and Employment's Order No. 2/16/61-LRII dated 8th February 1961, made in exercise of the powers conferred by Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), was pleased to refer the industrial dispute, between the parties above-named, in respect of the subject matter specified in the following schedule to the said order to me for adjudication.

SCHEDULE

"Whether the Company was justified in terminating the services of Shri W. A. Walford, and if not, to what relief is he entitled?"

2. After the parties had filed their written statements and rejoinders, the dispute was fixed for hearing but had to be adjourned as the Central Secretary of the Union concerned, Shri K. B. Chougule, proceeded out of India. The case was thereafter heard partly at Jabalpur and partly at Bombay. Both parties have led oral evidence and filed a number of documents in support of their respective contentions.

3. The dispute relates to the termination of the services of Shri W.A. Walford, a loading Foreman of the Kotma Colliery, who, admittedly, was the President of one of the Unions of the workers of Kotma Colliery. The case for the Union, briefly stated, is that the Management was supporting a rival union, viz., the Kotma Colliery Mazdoor Sabha. It is admitted that Walford was severely beaten up on the 25th of April 1959 at about 7 or 7-30 p.m. when he came out of the colliery's club premises at Kotma. According to the Union, and the evidence of Walford, (W.W. 1) he was called out by the then Assistant Manager Shri R. S. Sandhu, of the colliery. When Walford came out of the club he was set upon by a gang of 25 to 30 persons who were members of the rival Union, who beat him up. He suffered serious injuries on his back and kidneys. The ulna bone of his left elbow was broken. At his request, he was allowed by the management to go to the Bilaspur Hospital for treatment and a loan of Rs. 200/- was advanced to him. At the Bilaspur Hospital his injured hand was operated upon and he was allowed to leave the hospital after about a week. On 26th May 1959, Walford requested the Company to send him his pay and further stated that being bedridden he be sanctioned leave till he recovered and he promised to produce necessary medical certificates when he would report for duty (Annexure 'A'). On 24th June 1959, Walford wrote to Shri R. S. Sandhu, the Assistant Manager of the colliery, requesting him to put his application before the Supervising Director of the colliery, Shri B. N. Reporter, who was to visit the colliery along with the Executive Head, for grant of special leave to him. On 27th June 1959, the Management wrote to Walford asking for his statement about the assault on him (Annexures B & C). On 14th July 1959, Walford sent his statement about the assault on him and, on 15th July 1959, the Manager of Kotma Colliery, informed him that he would only be granted leave that was due to him and that no special leave could be granted (Annexures G & E). By his letter dated 6th August 1959, addressed to the Executive Head of the A.C.C. Ltd., Collieries Department, submitted through the Manager of Kotma Colliery, Walford pointed out that he had not received his full salary for June and bonus for the quarter ending June 1959. He stated that he was being victimised and on the question of the refusal of special leave, he referred to the case of another workman who had been given special leave and all medical expenses and requested re-consideration of his case (Annexure F). On 7th August 1959, Walford again wrote to the Company, requesting for a loan of Rs. 300/- to undergo an operation for re-setting his injured hand (Annexure G), but he received no reply from the Management. In the meantime, Walford addressed certain letters to the Hon'ble Union Deputy Minister for

Labour and he was informed that the industrial relations machinery was being asked to look into his case. On 5th September 1959, the Private Secretary to the Hon'ble Union Deputy Labour Minister informed Walford that the Management of the colliery had agreed to allow him to resume his duties, and, thereafter to consider the payment of some *ex gratia* amount to him towards his medical expenses (Annexure I). Thereafter, on 10th September 1959, Shri Walford requested transfer to the Chaibasa Cement Works of the Company, which he offered to join. He also stated in that letter that he had to undergo a second operation for setting his elbow (Annexure J). He was later informed that his transfer to Chaibasa could not be considered and that he could apply for a loan from his Provident Fund (Annexures K & L). Further, on 6th October, 1959, Walford was informed that his application for a loan from the Provident Fund could not be considered, as it was not in consonance with the Finance & Accounts Department's Rules (Annexure M). On 12th October 1959, Walford wrote from the Christian Medical College and Ram Memorial Hospital, Ludhiana, Punjab, requesting the Company to pay his hospital bills, as he was unable to meet his medical expenses (Annexure N). This request was not granted by the Company, and on 17th January, 1960, the Manager, Kotma Colliery, wrote to Shri Walford that it was not possible to grant extension of the leave and that there was no valid reason for Walford to remain away from the colliery. In that letter he was further directed to resume his duties by 27th January 1960, failing which the Manager would take such action against him as the Company deemed fit under its standing orders (Annexure O). To this Walford replied by his letter dated 21st January, 1960 that since his hand was not yet set properly, it was not possible for him to report for duty on 27th January 1960 and that he would join duty with a medical certificate when his doctors permitted him to do so (Annexure P). It appears that, thereafter, Shri Walford wrote to the Union for a loan of Rs. 250/- to enable him to get his hand X-rayed. It further appears that on 13th February, 1960, the Indian National Mine Workers' Federation had written to Walford that the Company had agreed to advance him a loan against his Provident Fund dues and asked him to make an application for the same. He was further assured that the Union was attempting to secure his transfer (Annexure Q). On 18th/22nd February 1960, the Manager of Kotma Colliery wrote to Walford (Annexure R) expressing his surprise over his inability to resume duties even after 10 months and stated that during this period Walford had neither applied for leave nor thought it necessary to forward any medical certificates. He was, therefore, given a final notice to submit a medical certificate from the Civil Surgeon of his district within 7 days in support of his application for sanction of leave, failing which the Management would presume that Walford was no longer interested in his job and had abandoned his job. He was further asked by that letter that the medical certificate to be produced from the Civil Surgeon should specifically describe the nature of the injury and the approximate time it would take for it to heal. The Manager further stated that on receipt of the medical certificate the Management would decide whether to grant leave or to retain Walford in service at all. According to Walford, he received this letter of the Company dated 18th/22nd February 1960 after many days, because, he had gone to Sambalpur to get his hand X-rayed.

4. According to the Union, the Assistant Surgeon of the District Head Quarters Hospital, Sambalpur, examined Walford on 19th March 1960 and gave a certificate copy of which Walford sent to the Manager, Kotma Colliery, as soon as practicable (Annexure S). It appears that on 1st April 1960 the Joint Secretary, Ministry of Labour & Employment, Government of India, wrote to the General Secretary, Indian National Mine Workers' Federation that the Management was not willing to transfer Walford to another colliery and that the Union had been advised by the Conciliation Officer, Central, Jabalpur, to raise an industrial dispute, if it so thought fit (Annexure T). According to the Union's written statement and the evidence of Walford, before he could send the medical certificate, the Manager of Kotma Colliery wrote on 11th/14th March, 1960, informing him that as he had neither reported for duty nor sent a medical certificate from the Civil Surgeon of his district, the Management was removing his name from the muster roll, as having abandoned his duties (Annexure 'U'). This, according to the Union, is the letter terminating the services of Walford. On 7th April, 1960 Walford addressed a registered letter to the Manager of Kotma Colliery stating therein that he had incurred extra expenditure to obtain a certificate from the Civil Surgeon (copy of which he enclosed), Sambalpur, as per the directions of the Management (Annexure V). To this the Manager replied by his letter dated 16th May 1960, that Walford's name had already been removed from the muster roll and called upon him to vacate his quarter within 15 days (Annexure W). On 19th July 1960, Walford wrote to the Manager of Kotma Colliery that as the

Civil Surgeon of his district was away on tour and the Management had specifically asked for a certificate from the Civil Surgeon, he had to await the return of the Civil Surgeon from tour and, therefore, could not submit the certificate within the period of 7 days prescribed by the Management (Annexure X). On 20th August 1960, the Manager of Kotma Colliery wrote to Walford informing him that his Provident Fund amount was being remitted by registered Money Order and that since his case had been treated as closed by the Management, no useful purpose could be served by any further correspondence in the matter (Annexure 'Y').

5. Thereupon, the Union raised an industrial dispute and demanded reinstatement of Walford in the Kotma Colliery. The dispute was taken up in conciliation but it resulted in failure as recorded in the Failure Report of the Conciliation Officer dated 13th January 1961 (Annexure Z).

6. The Union in its written statement has urged that the termination of the services of Walford was unjustified, as the Management was fully aware of his condition and, therefore, the claim of the Management that the termination of his services was justified because Walford had not taken leave and had not produced a medical certificate is false, baseless and deliberately made up to find an opportunity to victimise him for his trade union activities. The Union has, therefore, claimed that Walford is entitled to re-instatement with full back wages including all allowances, either in cash or kind.

7. The Management, in its written statement dated 8th May 1961, had raised the preliminary objection that this reference was null and void and inoperative in law for the reason that the Union did not have a substantial number of workers at Kotma Colliery as its members and, therefore, it was not entitled to raise a valid industrial dispute; that the general body of the members of the Union had not authorised it to take up the case of Walford by way of a resolution, etc.; that the Union Executive had not authorised the Organising Secretary to take up the dispute and write to the Conciliation Officer.

8. The Management had also called upon the Union to produce its records to show its membership, etc. I may state, however, that this objection was not pressed at the hearing, after the Union had satisfied the Management of its membership in the Kotma Colliery and it is, therefore, not necessary to deal with this legal objection.

9. According to the Company's written statement, Walford was assaulted outside the colliery club premises by certain individuals, some of whom were not even temporary employees, as a result of a fracas which had arisen out of a factional fight. The Company has admitted that Walford had sustained fracture injury in his left elbow; that at the request of Walford he was given a loan of Rs. 200/- and was allowed to go to Bilaspur Hospital for getting himself treated, as suggested by him. The company has stated that Walford had, at that time 14 days' sick leave and 38 days' privilege leave due to him which was adjusted upto 16th June 1959 and, therefore, his request for sanction for special sick leave was justifiably rejected. The Company's case is that Walford neither requested for further leave nor did he produce any medical certificate. He was further asked by the Company's letter dated 17th January 1960 to resume duties at the latest by 27th January 1960; that Walford by his letter dated 21st January 1960, informed the Management that he was unable to join duties, as he was unfit and would produce a medical certificate, when he would be permitted by his doctors to resume his duties. The Company had referred to its letter of 22nd February 1960 in which it had called upon Walford within 7 days from the date of the receipt of that letter to produce a medical certificate from the Civil Surgeon describing the nature of his injuries and the time it would take to heal to enable him to report for duty, failing which, he was categorically informed that it will be taken that he was no longer interested in his job or abandoning his services with the Company; that as Walford did not comply with these instructions, the Company after waiting for a period of about 3 weeks was constrained to inform him by its letter dated 11th/14th March 1960 that because of his failure to report for duty or send a medical certificate from the Civil Surgeon as directed by the Company, his name was removed from the muster roll of the Company as having abandoned his duties. According to the Company that letter was received by Walford on 18th March, 1960 and Walford by his letter dated 7th April 1960 sent a copy of the certificate dated 19th March 1960 from the Assistant Surgeon of Sambalpur which stated that he was examined on 23rd February 1960 and was found having a fracture dislocation of the left elbow and was unfit for work.

18. The Company has contended that this was not a case of termination of service, but of a voluntary abandonment of the service by conduct, as Walford was on unauthorised absence for about 9 months and the Company could not keep on waiting indefinitely for him to join duty, after having given him a fair and reasonable opportunity either to resume or if he was unfit, to submit a proper medical certificate justifying his absence. The Company has denied that its attitude was inimical to this Union or that it was favouring the rival Union. It has stated that the Union had falsely tried to implicate Shri Sandhu, the Assistant Manager of the colliery in the incident of assault on Walford. The Company has denied that Shri Sandhu had called out Walford for any official work or that he was aware of any possibility of assault on Walford or had assured him any protection. It has denied that Walford was on duty for all the 24 hours of the day as alleged by the Union. With regard to the Union's allegation about the refusal to grant special sick leave to Walford, the Company has stated that grant of special leave is entirely a matter of discretion of the Company, depending upon the merits of each case and that such leave is generally granted when the employee resumes duty or in the case of protracted and serious illness on the employee submitting medical certificates regularly and periodically. The Company has stated that the sick and privilege leave to the credit of Walford had been adjusted at his request upto 16th June 1959. The Company had denied that it adopted an unsympathetic attitude towards Walford and has stated that it had advanced him a loan of Rs. 200/- to proceed to Bilaspur after the incident. The Company has denied that it was activated by ulterior motives in terminating the services of Walford or that his services were terminated because of his trade union activities. It has submitted that it was constrained to treat Walford as having voluntarily abandoned his services because, after 24th June, 1959, till the Company wrote to him its final letter dated 11th/14th March 1960, Shri Walford had not asked for any leave or submitted any medical certificate in spite of the fact that the Company by its letter of 24th February 1960 had asked him to resume duties or submit a medical certificate indicating the nature of his sickness, as also the approximate period it would take to heal up the injuries. The Company has denied the construction put on the correspondence that passed between the Company and Walford and it has in its turn given details of the correspondence that had passed between it and the Civil Surgeon of S.V.E.P.M. Hospital, Bilaspur, where Walford was treated. It has also given details of the correspondence that had passed between it and Walford, the Regional Labour Commissioner, Shri I. B. Sanyal, the Indian National Mine Worker Federation, Calcutta, and the Joint Secretary, Ministry of Labour & Employment, Government of India, New Delhi.

11. The Company has urged that Walford was really not anxious to resume work at the Kotma Colliery, as he considered it unsafe for himself to do so. It has further argued that Walford was not serious in complying with the formalities in connection with the extension of leave of which he was well aware and that in the circumstances, the Company was justified in giving him the final notice by its letter dated 18th/22nd February, 1960, calling upon him to furnish a certificate from the Civil Surgeon of his district, failing which, it was categorically stated that the Company would presume that he was no longer interested in the job or abandoning his duties; that the Company had waited for a reasonable time for Walford to comply with the requisitions and that on his failure it was justified in removing his name from the muster roll, as having abandoned his duties. The Company, in support of its statement that Shri Walford had no intention of returning to Kotma Colliery has stated that the notice issued by the Station House Officer, Kotma, under section 107/117 of the Criminal Procedure Code in the Court of the Sub-Divisional Magistrate, Shahdol, could not be served on him. The Company has also stated in support of its contention that it did not have any bias against this Union or Shri Walford, that it had after due enquiry dismissed Shri Baljee, the only employee among those who had assaulted Shri Walford. The Company has, therefore, submitted that the demand of the Union for reinstatement of Shri Walford with full wages was unjustified.

12. Both parties have led oral evidence besides filing a number of documents in support of their claim. I have had the benefit of detailed submissions of both Shri P. P. Khambatta, the learned counsel for the Company, and from Shri K. B. Chougule, who conducted the case on behalf of the Union.

18. The Union's case for reinstatement in service of Walford rests mainly on three main grounds:

- (1) that Walford being the President of a Union which the management did not favour, it had taken this opportunity to terminate his services;

- (2) that Walford's injured hand had not properly set and he was not fit to report for duty till June 1960 and thereafter, the management had wrongfully not allowed him to resume duty; and
- (3) that the action of the Company in removing Walford's name from its muster roll was in violation of the Company's Standing Orders or otherwise illegal and improper.

Now, on the first contention in my opinion, Shri Khambatta, the learned counsel for the Company was right when he argued that the Union had failed to establish that Walford had been victimised for his trade union activities, as stated in the Union's written statement of claim. The Union's story was that the Company was supporting a rival union and that on the day of the incident, the Assistant Manager of the Kotma Colliery called Walford out of the club; that Walford came out as in his capacity as Loading Foreman, he was supposed to be on duty during all the 24 hours and thereupon he was set upon by the members of the rival union. It is true that in my Award in an earlier dispute between this Company and its workmen at the Kotma Colliery, I had held that this Company was supporting the rival union. But that finding cannot support the Union's contention that Walford had been called out of the Kotma Colliery's club by the Assistant Manager with a view to his being beaten up. In this connection, Shri Khambatta has pointed out that the Company had invited Walford to submit his written account of the incident of that day and that it had, thereafter, held an enquiry and had dismissed from its service Shri Laljee the only employee of the colliery from among his assailants whose names Walford had mentioned in his letter as being one of his assailants. I accept this conduct of the management as militating against the Union's theory of victimisation. On a careful appraisal of the oral and documentary evidence on record, I am satisfied that there is not sufficient evidence to establish a charge of victimisation. Shri Khambatta has, in my opinion, rightly laid stress on the decision of the Hon'ble Supreme Court in the case of Bareilly Electricity Supply Company, Ltd., and Sirajuddin and others (1960 1 LLJ at p. 556) where it was held that findings of *mala fide* on the part of the management should not be lightly arrived at. I therefore reject the first contention of the Union and hold that it is not proved that Walford was victimised for his trade union activities.

14. With regard to the second contention urged on behalf of the Union the Company's contention is that Walford had at no time shown any anxiety to rejoin the service at Kotma; that he did not want to resume duty at Kotma at all, as the climate of that place had become unhealthy for him, in other words, that Walford was afraid of his own safety if he rejoined the service of the Company at Kotma Colliery and that is why he had applied for his services to be transferred to Chaibasa Cement Works of the Company. There is no doubt that Walford had applied for transfer of his services to Chaibasa, but his explanation is that he would in that case have been nearer to his home town at Jharsuguda where his wife and children were living. I am, however, not satisfied with the Company's contention that Walford had no intention to resume duties at Kotma Colliery. I have given careful consideration to the correspondence which I have detailed earlier and to the oral testimony of Walford, and I am inclined to think that the evidence on record does not warrant the conclusion that Walford did not intend to rejoin his services with the Company. There are enough letters on record from Walford which indicate his anxiety to get back his job. It is true that he did apply to be transferred to Chaibasa, but after the Company rejected his request he did write letters claiming his right to be re-instated in his former post at Kotma Colliery, and he tried to secure the medical certificates required by the Company. On this point and in dealing with the third contention of the Union, I think it necessary to refer briefly to the relevant letters, which passed between the Company and Walford. It had to be remembered that Walford had, in fact, applied to the Company for grant of special leave to him. This was refused to Walford by the Company's letter dated 15th July 1959 (Exhibit E-36). The Union has relied on the cases of three other employees to whom the Company had granted special leave. The Company has sought to explain away the special features of each one of these cases, but the fact remains that Walford had applied for grant of special leave which in my opinion points to his anxiety to resume work. It has to be remembered that when the Company granted permission to Walford to be treated outside the Kotma for the injuries suffered by him, no period was specified and no one knew how long it would take for his injuries to be properly treated. Immediately after the incident of assault on him, Walford had been allowed to take leave without pay from 25th April 1959 and no definite period was provided for which he was to be on leave. Walford by him, no period was specified and no one knew how long it would take for

duty by the Civil Surgeon, Bilaspur Government Hospital and he asked for leave till he was in a position to join duties and he promised to produce the medical certificate when he would come to join duty, but no reply was sent by the Company to his letter. It was, therefore, that Walford wrote his letter dated 24th June 1959 (exhibit E-35) for special sick leave; his anxiety, no doubt then was to get his leave without pay converted into sick leave with pay. However, no reply, was received by him from the Company to this letter up till 15th July, 1959 (exhibit E-36). In this letter he was told that special leave was refused because no medical certificate certificate was furnished. It has further to be remembered that Walford had again written another letter to the Company, dated 7th August 1959 from Ranchi where he had gone for getting his injured hand X-rayed and treated by Dr. Buxton of that hospital. Walford's case is that at the intervention of the Labour Ministry the Company had agreed to re-instate him in service and thereafter to consider the question of some *ex-gratia* payment to him with regard to medical expenses incurred by him, as communicated to him by a letter dated 5th September 1959 from the Private Secretary to the Hon'ble Deputy Labour Minister. Thereafter by another letter Walford had asked for his transfer to Chaibasa. He had then also asked for a loan from his Provident Fund. He received a reply from the Company, dated 1st/3rd October 1959, regretting the Company's inability to sanction transfer to Chaibasa, but that letter contained no demand for production of medical certificate. Later, he was informed by the Company that no loan could be sanctioned, but even in that letter he was not asked to furnish any medical certificate nor was any enquiry made as to when he would rejoin services. It is also on record that thereafter Walford received treatment to his hand from a hospital at Ludhiana in the Punjab. Annexure N to the Union's written statement is a copy of the letter dated 12th October 1959 addressed by Walford to the Manager of Kotma Colliery in which he had requested the Company to pay him the expenses of the treatment received by him at the Christian Medical College and Brown Memorial Hospital, Ludhiana, Punjab. The Management has denied receipt of any letter from the hospital at Ludhiana. I am, however, satisfied from the evidence of Walford that he had undergone an operation at this hospital on his elbow and that he was treated there between 27th September 1959 to 14th October 1959. I am, in the light of the above correspondence and the evidence of Walford, satisfied that the Company was well aware till it wrote its letter of 17th January 1960, that Walford had received medical attention at Bilaspur, Ranchi, Ludhiana and thereafter at Sambalpur to his injured hand, which had not properly set. It is significant to note that between 12th October 1959 to 17th January 1960, the Company did not write to Walford asking him to rejoin duty and I think that this was so because it was satisfied that he was receiving medical treatment. This brings me to the last phase of the correspondence and the events which led up to his name being removed from the Muster Roll of the Company. On 17th January 1960, the then Manager, Shri Chaturvedi of the Kotma Colliery wrote to Walford referring to the Company's letter dated 15th July 1959 and informed him that it was not possible for the Company to sanction extension of leave any further because there was no valid reason for him to stay away from the colliery, as in his absence the work of his Department was suffering. That letter concluded by directing as follows:—

“You are, therefore, required to resume your duties by a date not later than 27th January 1960, failing which, we shall be constrained to take such action against you as we may deem fit under the Company's Standing Orders.”

Walford replied to this letter by his letter dated 21st January 1960 in which he stated that he regretted that he could not resume his duties on 27th January 1960, as his hand had not set and that when his doctor permitted him to join duties, he would inform the management and produce medical certificates [exhibit E-22 (ii)]. To this, the Management replied by its letter dated 18th/22nd February 1960, in which Shri K. P. Singh, Manager of the Kotma Colliery stated that the Company regretted to find that even 10 months after he had sustained injuries he was not in a position to resume work. It was further stated in that letter that throughout this period Walford had not applied for sanction of any leave nor thought it necessary to forward at any stage a medical certificate in support of his period of absence. He was, therefore, given final notice that if within 7 days of receipt of that letter, a medical certificate from the Civil Surgeon of his district in support of his application for sanction for leave was not received, the Company would presume that he was no longer interested in his job or that he was abandoning his duties. He was further directed that the medical certificates should specifically describe the nature of the injury and the time it will take a heal to enable him to report for work. The letter concluded by stating,

"on receipt of the medical certificate as required, we shall decide the question of granting you leave or retaining you in service at all." Now, Walford's case, as stated by him in his evidence, which I am inclined to accept, is that this letter was received at his house by his wife on 24th February 1960. His case is that he was at that time at Sambalpur and he returned home on 2nd or 3rd March when his wife handed over the letter to him. He desired to get a medical certificate from the Civil Surgeon of Sambalpur within 7 days. He thereupon made efforts to get medical certificates from the Civil Surgeon of Sambalpur, which is the District Headquarters of Jharsuguda, which is Walford's home town. Walford has stated that he got from Dr. B. Rath, M.B., B.S., the Assistant Civil Surgeon, a medical certificate on 19th March 1960 in which he (Dr. Rath) had stated that Walford had consulted him on 23rd February 1960 for stiffness and pain in his elbow; that Dr. Rath had ordered a reventogenograph which showed that he had a fracture dislocation of the left elbow and that he was advised to consult an Orthopaedic Surgeon and that he was not fit till an operation is done to his left elbow. Walford forwarded a copy of that certificate to the Company along with his letter of 7th April 1960. In the meantime, however, by his letter dated 11/14th March, 1960, Shri K. P. Singh, the Manager of Kotma Colliery, sent a registered letter to Walford which was in the following terms:—

"In continuation of our letter No. KC/WAA/4510, dated 18th/22nd February 1960, we have to inform you that as you neither reported for duty nor sent us a medical certificate of the Civil Surgeon of your district, we are removing your name from the muster roll as having abandoned your duties."

According to Walford, he did not send the certificate of 19th March 1960 which he had received from the Assistant Surgeon, Sambalpur, as in the meantime, he had received the Company's letter of 11th/14th March 1960 by which he was informed that his name had been removed from the Company's muster roll. Walford's explanation why he delayed sending this certificate to the Management is not satisfactory. The original certificate which was produced by Walford in his evidence was objected to by Shri Khambatta as not being admissible in evidence, and for his objection he has relied upon the observations of their Lordships of the Supreme Court in the case of Petlad Turkey Red Dye Works Company Ltd., *versus* Dyes and Chemical Workers' Union and others (1960 I LLJ p. 548). I therefore did not admit the certificate in evidence, as when a certificate is challenged, evidence as regards its contents must be led and the certificate proved in the proper manner, which was not done in this case. I am, however, satisfied from the oral evidence of Walford that he had been examined by the Assistant Surgeon of District Headquarters Hospital at Sambalpur on 23rd February 1960 as stated by him. Thereafter, Walford informed the Company that if they insisted on removing his name from the muster roll, he would bring the matter to the notice of the Labour Minister by which, I think, he meant that he would draw the attention of the Labour Ministry and raise an industrial dispute. He pleaded that the Company should take into consideration his previous services to the Company which had extended over a period of 12 years—and also the circumstances under which he had received the injuries and they should desist from continuing these malpractices against him. To Walford's letter of 7th April 1960, the Company replied by its letter dated 16th May 1960 in which the Manager of the Colliery stated that the Company could not reconsider its position and called upon Walford to give up possession of the quarters, which had continued in his possession. To this Walford replied by his letter dated 19th July 1960 (Annexure X of Union's written statement) that he had kept the Company well informed about the treatment he was receiving and that he could not send a medical certificate from the Civil Surgeon, Sambalpur, within 7 days as asked for by the Company as the Civil Surgeon, Sambalpur, was on tour and he had to await his arrival from tour and that the Company's action in removing his name from its muster roll was an act of victimisation. To this, the Company replied by its letter dated 20th August 1960, stating that it did not consider it necessary to prolong the correspondence on the subject which it had treated as closed. Thereafter, the dispute was taken up for conciliation, but it resulted in failure as recorded in Failure Report, dated 13th January 1961 of the Conciliation Officer (Central) at Jabalpur.

15. This takes me to the third question whether the removal of Walford's name from the muster roll of the Company, which resulted in the termination of his services, was proper action under the Company's Standing Orders or otherwise. In fact, that is the issue under reference as the question posed for determination is whether the Company was justified in terminating the services of Shri W. A. Walford and if not, what relief he is entitled to.

16. The Company has contended that it was justified in removing Walford's name from its muster roll because of his failure to produce a medical certificate from the Civil Surgeon of his district, Sambalpur, within 7 days of the receipt by him of the Company's letter dated 18th/22nd February 1960. I have heard Walford's evidence and I am satisfied that on receipt of this letter he did try to obtain the required medical certificate from the Civil Surgeon of his district and that he got his hand examined by the Assistant Civil Surgeon, Sambalpur, Dr. B. Rath on 23rd February 1960. The Company's letter was received by Walford's wife in his absence on 24th February 1960 and he got the letter only when he returned to Jharsuguda from Sambalpur on 2nd or 3rd March 1960. I accept Walford's evidence, on this point. In the meantime, however, he received the Company's letter dated 11th/14th March 1960 intimating him that his name had already been removed from the Company's muster roll and thereupon he sent a copy of the medical certificate along with his letter dated 7th April 1960. Now, Shri Chougule has argued that the action of the Company in removing Walford's name from the muster roll was not in accordance with the Kotma Colliery's certified Standing Orders. He has referred to the Company's Standing Order No. 16 which defines "misconduct" and to sub-clause 16 thereof which states that continued absence without permission or without satisfactory cause within 10 days of the expiry of the leave would amount to misconduct. Now, under Standing Order No. 9 it is provided that notwithstanding anything mentioned above, if any employee overstays his sanctioned leave and remains absent without properly approved leave, he will render himself liable for disciplinary action. Shri Chougule has argued that even assuming that Walford had overstayed his leave for more than 10 days it constituted a misconduct under the Company's Standing Orders, for which before punishment could be inflicted the provisions of Standing Orders had to be followed. Now, Standing Order No. 17 provides that no order of suspension, dismissal or fine shall be made unless a charge sheet had been served and a proper enquiry on the misconduct has been held. Shri Chougule has further argued, and I think quite rightly, that there is no provision in the Company's certified Standing Orders regarding the removal of the name of any person from the muster roll or for treating a workman as having abandoned his services, and that a case of misconduct would require a charge-sheet and enquiry and an opportunity to the workman to defend himself followed by a dismissal order which would require the approval of the owner, agent or the Chief Mining Engineer. Shri Chougule has argued that the Company had acted wrongly in removing Walford's name from the Company's muster roll and treating him as if he had abandoned his job and in not giving him an opportunity by holding an enquiry to enable Walford to establish the explanation given by him in his letter dated 7th April 1960.

17. I am inclined to the opinion that there is substance in this contention of Shri Chougule. Shri Khambatta has referred to many other provisions of the Standing Orders but in my opinion, none of them have a direct bearing on the subject. He was ultimately forced to argue that the Company's action was independent of the Standing Orders and that the action of the management was in exercise of their inherent rights under the master and servant relationship, but that would mean giving a complete go-by to the certified Standing Orders, which determine the terms and conditions of service between the Company and its workmen. Shri Khambatta has relied on Standing Order No. 8 which states that if a workman overstays his leave and does not return to duty within 8 days and gives a satisfactory explanation, he loses his lien on his job. But the Standing Order provides that in that event his name is to be placed on the *budli list* of the Company, which was clearly not done. I am, more than satisfied that the Company's contention that Walford had abandoned his job is not sustainable. As I have shown Walford was corresponding to retain his job and was in correspondence trying to explain the delay in his getting the medical certificate from the Civil Surgeon called for by the Company. This conduct in my opinion did not amount to his abandoning his job. Therefore, the Company was not justified in its action in removing his name from the Muster Roll which action was against the provisions of the Standing Orders. I am, therefore, satisfied that the Company in removing Walford's name from the muster roll of the Company had acted in violation of its Standing Orders. In my opinion, the Company was also not justified in holding that Walford had abandoned his services. I have in another recent case of this Company, (Reference No. 36 of 1960—Award dated 11th July 1962, published in Government of India Gazette, dated 28th July 1962, pages 2667 to 2674), held that the Company's similar finding in that case that the concerned workman had abandoned his services was contrary to the Company's Standing Orders, which contained no provision for removing a workman's name from the muster roll or treating him as having abandoned his services, without holding a proper enquiry. In the result, I hold that by removing Walford's name from the muster

roll of the Company, the Company had acted in violation of its Standing Orders and that in denying an opportunity to Walford to present his case at the departmental enquiry, the Company has violated the rules of natural justice.

18. I have heard the submissions of both parties on the justification of this Company's action and I am satisfied that if an opportunity had been given to Walford he would have been able to satisfy the Company that he had received treatment at Sambalpur and that his hand still required treatment and he was not in a fit position to resume work. In the circumstances, I hold on the first issue under reference that the Management was not justified in terminating the services of Shri Walford.

19. The next question to consider is what is the relief that should be granted to Walford. The Union has pressed for his reinstatement with full back wages. I am not satisfied that in the circumstances of the case I would be justified in directing Walford's reinstatement in service. I think that this is a case where an order for compensation, in lieu of reinstatement would meet the ends of justice. It was ascertained at the hearing that Walford's monthly pay on the date of the incident was Rs. 328.25 nP. and that he had joined the Company's service in 1948. Walford has thus put in 12 years' continuous service in the Company on the day of the assault on him. Considering this and all the facts and circumstances of this case, in my opinion the ends of justice will be met, if I were to order the Company to pay him Rs. 2,500/- as compensation in full satisfaction of his claims for reinstatement and back wages, and I award accordingly. This will be in addition to other dues such as under the Provident Fund etc. to which Walford may be entitled. I further direct that payment of this amount should be made within a month, of the date this award becomes enforceable.

20. Since the Union has succeeded an order for costs in its favour would be justified and considering that this case had a protracted hearing at Jabalpur and Bombay I award Rs. 200/- as costs to the Union, to be paid within a month of the date this award becomes enforceable.

(Sd.) SALIM M. MERCHANT,
Presiding Officer,
Central Government Industrial Tribunal,
Bombay.

[No. 2/16/61-LRII.]

ORDERS

New Delhi, the 16th January 1963

S.O. 233.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Ena Colliery of Messrs North West Coal Company Limited, Post Office Jharia, District Dhanbad, Bihar and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE.

Whether the closure of work in the second and third shifts on the 18th October 1961 by the management of Ena Colliery of Messrs North West Coal Company Limited at the instance of Shri Hatim was justified? If not, to what relief are the workmen entitled?

[No. 1/18/62-LRII.]

S.O. 234.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Madanpur Colliery, P.O. Andal (Burdwan) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE.

Whether the management was justified in stopping Shri Bisun Koiri, Prop. Mazdur, from work with effect from 9th September, 1962? If not, to what relief is he entitled?

[No. 6/19/62-LRIL.]

A. L. HANNA, Under Secy.

New Delhi, the 18th January, 1963

S.O. 235.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Hyderabad, in the industrial dispute between the employers in relation to the Andhra Bank Limited, Masulipatam and their workmen.

BEFORE THE HON'BLE INDUSTRIAL TRIBUNAL ANDHRA PRADESH,
HYDERABAD.

PRESENT: Dr. Mir Siadat Ali Khan, M.A., LL.B., Fazel (Osm), B.C.L. (Oxon), D. Phill (Oxon), Bar-at-Law, Lincolns Inn. (London), Chairman, Industrial Tribunal, Andhra Pradesh, Hyderabad.

INDUSTRIAL DISPUTE NO. 29 OF 1962

BETWEEN:

Workmen of Andhra Bank Limited, Masulipatam,

AND

Employers of Andhra Bank Limited, Masulipatam.

APPEARANCES:

Mr. H. L. Parvana, representative, and Mr. Subbaraya Sastry, advocate for the workmen, and, Mr. K. Srinivasamurthy, advocate, for employers.

AWARD

The Government of India, Ministry of Labour and Employment, by order dated 17th July, 1962, referred the industrial dispute between the employers of Andhra Bank Limited, Masulipatam, and their workmen for adjudication with the following two issues framed:

- (1) Whether the supersession by the Andhra Bank Limited of the claims of the individuals named in the Table below, for appointment as Accountants was justified and if not, what relief, if any, are they entitled to?

TABLE.

- (i) Shri M. V. Subba Rao.
- (ii) Shri K. Ramana.
- (iii) Shri K. Ch. Veerabhadrarao.
- (iv) Shri D. Malleswara Rao.
- (v) Shri U. Anjeneyulu.
- (vi) Shri P. Butchiraju.
- (vii) Shri K. Lakshminarayana.
- (viii) Shri T. Sriramamurthi.

- (ix) Shri K. Rama Rao.
- (x) Shri D. Lakshmanamurthy.
- (xi) Shri M. Ramasubba Rao.
- (xii) Shri A. R. Sastry.
- (xiii) Shri B. Kondayya.
- (xiv) Shri M. Krishnarao.

(2) Whether the action of the management of the Andhra Bank Limited in appointing Shri B. Laxamana Rao and Shri G. Venkateswarao, clerks in the Bank, as 'officer-Apprentices' affected the conditions of service of the workmen of said Bank and if so whether they should be reverted as Clerks?"

2. The dispute was registered here as Industrial dispute No. 29 of 1962. The parties were directed to file their written statements and adduce oral and documentary evidence, if any. They complied and truckloads of documents were filed by the employer at the instance of workmen and both parties have adduced one witness each and the arguments were also detailed. I proceed to pass the award.

3. The workmen's stand is that the Andhra Bank Limited even though it was not a party to the Sastry's award, yet, entered into an agreement with the Andhra Bank Employees' Union in April, 1957. By this agreement the provisions of the Sastry's award were applied to regulate the relation between the employer and the employees of the Andhra Bank except to the extent modified by the said agreement Ex. M18. On 11th April, 1960, another agreement Ex. W26 was entered into between the parties. The reason was that the Union had raised a dispute over the promotions made by the employer to the posts of Accountants. By notice dated 23rd October, 1961, the employer terminated this settlement. But, on 1st October, 1961, when the settlement was still in force, the employer promoted certain clerks to the post of Accountants. This was in contravention of the provisions of the settlement Ex. W-26. The settlement was that seniors who have passed SSLC should be promoted provided there was no adverse remarks in the service record. This provision was contravened and the 14 persons specified in the first issue in the order of reference were superseded. The Union is taking up the case of 9 clerks from serial 1 to 9 of the order of reference. Appendix A to the claims statement of the workmen specifies the 9 persons who hav. been promoted. Appendix B details the 9 persons who have been superseded. Appendix C is the combined seniority list.

3.1. The stand of the learned representative of the workmen is that the workmen's entire case turns on Ex. W26 and it is a simple case. The settlement in paragraph (1) sub-paragraphs (i), (ii) and (iii) provides that, for the purposes of promotion to the post of Accountants and Head cashiers, the management will take the combined seniority list of all clerks, shroffs, godown keepers and graduates into consideration and will take it in the consideration at the time of filling up the available vacancies by promoting the senior-most candidate with a minimum qualification of a pass in SSLC will be posted as Accountant and those who have no such qualification will be posted as Head-cashiers. By paragraph 1(v), it was provided further that in doing the selection, due regard will be paid to the provisions of paragraphs 529 of the Sastry's award, viz., "In case of employees who are not found fit for promotion, the decision should be borne out by the service records of the employee and when a person senior in service is superseded, it should be for good and cogent reasons." The workmen contend that the employer did not observe the above unequivocal terms of the settlement. They have quoted chapter and verse to show that, even though the employer admits that, the 9 persons mentioned in Appendix B and who have been superseded, were fit for promotion, still, they were not promoted as in the opinion of the employer, the clerks mentioncd in the Appendix A were more fit for promotion. The learned representative of the workmen was much exercised over the employer promoting some employees on the ground that they were more fit and maintained stoutly that this was in total disregard of the terms of the settlement. The settlement does not provide that more fit persons shall be promoted. It provides only that senior employees with the minimum qualification of SSLC should be promoted as Accountants. The employer does not deny that the superseded persons were seniors and have the minimum qualification of a pass in SSLC. It is, therefore, clear that he was guilty of contravention of the specific terms of the settlement, Ex. W26, and, as he is bound to act in accordance with it, the superseded promotions should be promoted. It was contended further

that the employer found the persons promoted as more fit from the service records, *viz.*, the confidential reports, the inspection notes and the entries in the Service register. But, paragraph 516 of the Sastry's award was applicable by the agreement Ex. M18. Ex M18 had applied the Sastry's award to the service conditions of the employees of the bank except to the extent to which Ex. N18 specifically provided otherwise. Paragraph 516, therefore, applied. That paragraph directed the employer to maintain a service book and directed further that if any adverse remarks is entered in the service book it shall be communicated to the concerned employee immediately. The employer did not maintain the service book and he did not communicate the adverse remarks to the concerned employee. The only inference according to the learned representative of the employees, therefore, is that the service records on which the employer has relied and by which he had considered the promotions should be entirely ignored.

4. This is the entire stand of the workmen. I carefully considered it. I agree with the representative of the workmen that settlements are to be honoured and if settlements are not honoured there will be chaos. No Tribunal could allow the contravention of a settlement when it is in force or even after its termination till a further settlement or award comes into force regulating the relations of the employees and the employer. I fully subscribes to this and whatever I may state below I will not forget it.

4.1. However, the question is whether in the matter of promotion the settlement Ex. W26 does not leave any room for the employer's discretion. By its paragraph 1(v), if any senior is superseded the decision should be borne out by the service records and should be for good and cogent reasons. Quite obviously, this paragraph leaves discretion to the employer. It only conditions it by the facts that it should be borne out by the service records and should be for good and cogent reasons. It should be noted that the terms that 'the decision should be borne out by the service records and should be for good and cogent reasons' are copied from paragraph 529 of the Sastry's award. It may also be noted that paragraph 516 of the said award speaks of the maintenance of service books. Paragraph 529 and paragraph 516 will have to be interpreted together and, if so interpreted together and, if so interpreted as service records is a more comprehensive term than service book, it means that the discretion of the employer in matters of promotion will be regulated not only by the service book but also by the service records. Hence, the insistence of the learned representative of the workmen that only service books should be considered in matters of promotion is not tenable. The other service records like confidential reports, the inspection notes and the service registers maintained by the employer and produced by him at the instance of the workmen before me can be gone into while considering the promotions. It is now well-established that even though an award or a settlement may be terminated, but, the rights flowing therefrom remain in force till another award or settlement takes their place. In this context, no doubt by Ex. M18 and for instance by its paragraph B(ii)(c) the provisions of Sastry's award were made applicable to regulate the service conditions of the employees except to the extent to which other service conditions were specifically stipulated in Ex. M18. This shows that paragraph 516 became applicable. But, WW1, has admitted on page 14 of his deposition that Ex. M18 was terminated and Ex. W26 took its place. Hence, it follows that paragraph 516 of the Sastry's award does not now regulate the service conditions of the Bank's employees. This is for the reason that in Ex. W26 no mention is made of paragraph 516. In the result the only paragraph that will govern the service conditions of the employees will be the paragraph 529, and as already stated above, this paragraph uses the more comprehensive word of 'service records'. There can be no denial of the fact that the employer has been maintaining from the very inception of the service of the employees, the service register-Ex. M80, and Exs. M1/1 to M1/33 yearly confidential reports about the clerks (who alone are under my consideration here) by their superiors like the Agents, Sub-Agents, and so on. Inspections were also carried on and inspection notes Exs. M63 to 79 were also filed. All these service records maintained for years cannot on any principle be overlooked under the express meaning of the word 'service records' used in paragraph 529. They are relevant in matters of promotion. I hold accordingly.

It follows from what I have held just now that even though the employer was bound by the provisions of paragraphs 1(i), (ii) and (iii) of Ex. W26, *viz.*, to consider the combined seniority list while giving promotions, still, by the provisions of paragraph 1(v) of Ex. W26, he has discretion to supersede any employee for good and cogent reasons. I hold accordingly and hold that I will scrutinise the promotions given by the employer at a later stage.

4.2. Even assuming without holding that even after the termination of the Agreement Ex. M10 and entering into a subsequent settlement Ex. W26, the provisions of paragraph 516 still remained in force, I will have to consider whether these provisions are mandatory. The provisions of paragraph 516 were that service book should be maintained and if any adverse remark is entered in it, it should be communicated to the concerned employee immediately. It is admitted by the employer that the service book in the form laid down by paragraph 516 was not maintained. The reasons were that the employer wrote to other Banks for a copy of the form which they had been using in carrying out the directives of paragraph 516 and, eventually sent for a form from United Kingdom, but, by the time they received it the workmen terminated the agreement Ex. M18. But, even so, they maintained the service book from 1961 after the disputed promotions in Ex. M18. It may be noted that the record kept by the employers in the confidential reports, inspection notes and service registers (Ex. M80) come up, more or less, to the directives in paragraph 516 on the manner in which the service book is to be maintained. But, it is evident from the record that the directive of the paragraph 516 that adverse remarks should be communicated immediately was not complied with and the employer, therefore, contravened this provision of paragraph 516. I would have emphasized this failure had it been evident from the record that the employer was actuated by motives of victimisation, unfair labour practice or *mala fides*. It should be noted that bona fides is not even alleged in the claims statement. It is not proved either. WW1, in his lengthy deposition of 25 pages has not said a word on it. The persons promoted by the employer, almost to a man, are members of the Union. Moreover, such directions cannot be considered to be mandatory. An article of Constitution of India lays down that Public Service Commission should be consulted. The Government of a State failed to comply with this directive. Even so, the Supreme Court held that the action taken by the Government of the State was not void for failure to consult the Public Service Commission. Again the issue framed by the Government is whether the supersession of the 14 employees is justified. Even though the employer has failed in communicating the adverse remarks to the concerned employees, still, in the absence of *mala fides*, he cannot be denied the right of proving before me that the promotions he has given were justified. Thus, even though settlements are to be honoured, yet, when the settlement itself leaves room for the discretion of the employer and when the discretion is used without *mala fides* or without any motives of victimisation, by the consideration of the service records from long before 1957, I do not feel justified in holding that the record should not be gone into. I, therefore, hold that even from this point of view service record maintained by the employer could be considered.

4.3. Admittedly, promotion is a managerial function. Still, it is now well-established that where there is a settlement on promotions, the promotions given by the employer can be scrutinised by the Tribunal to find out whether they were in accordance with the settlement in this regard. This was held by the Supreme Court in the case of Rhotos Industries, 1956 (II) LLJ 444 and Brooke Bond India Ltd., 1962, 22 F.J.R. 387. Hence, as here there is the settlement Ex. W26 dealing with promotions I will scrutinise the promotions given by the employer. I proceed to do this.

5. I have carefully gone into the evidence of WW1 and MW1 regarding the comparative merits of the 9 persons superseded and the 9 persons promoted in their place. It appears to me that supersession of M V. Subbarao is justified because, even in the confidential report of 27th May, 1961, he is said to be a quarrelsome and discourteous employee and that business will be suffered if not transferred. It is also remarked that he has not picked up the loans work even though he is senior. Similarly, regarding P. Butchiraju, right from 5th January, 1952, he has earned bad remarks in the confidential reports as being inaccurate, unattractive and antagonistic and that even though aged, he still commits number of mistakes in the routine work. As late as 1959, it is remarked in Ex. M1/6, that he lacks tact, is slow and unattractive. Even the 1960 and 1961 confidential reports repeat the above remarks. The other superseded employees like K. Ramana, K. Ramarao and K. Lakshminarayana have not earned any ticks in the first column. These ticks specify better qualities especially suitable for the post of officers in which the post of Accountants are included. Only K. Ch Veerabhadra Rao and to some extent T. Sriramamurthy have all through earned good remarks even though no heading in the first column of the confidential report has been ticked. Ex. M22, page 23, confidential report for the year 1960, states that Sri K. Ch. Veerabhadra Rao is very tactful and is very courteous and in other letter in the same exhibit, dated 7th February, 1961, it is recommended that he

may be given promotion. Similarly, T. Sriramamurthy has been strongly recommended for promotion as Accountant from 1955 and the only remark against him is in flag E of Ex. M1/18, dated 11th February, 1961 and he is discourteous with the customers and is thus injurious to the bank's business. As against this the clerks promoted, all of them excepting M. Krishnamurthy and T. Talpasayee, have earned several ticks in the first column of the confidential reports and they have been generally speaking, strongly recommended for promotion as Accountants for many years past. In the case of Talpasayee there are adverse remarks and a warning by the Chief Accountant about his being late and irregular in attending office. Even though, he has earned two ticks in the first column in 1960, still, on the whole, as he is a junior, he may be allowed to wait. I make only these two changes that in the place of M. Krishnamurthy and T. Talpasayee promoted two persons, Sarvasri K. Ch. Veerabhadraraao and T. Sriramamurthy should be promoted.

6. Regarding issue No. 2, the stand of the workmen is that the promotion of B. Laxmanarao and G. Venkateswararao in supersession of G. Subbarao and N. Prabhakararao violates seniority and the agreement in this regard. The learned advocate for the employer waxed eloquent over the fact that both of them are double graduates with a pass in C.A.I.I.B. examination and there are no other persons with similar qualifications in the Bank. He, therefore, contended that when paragraph 529 of Sastry's award rejected the employees' contention that even in promotions to posts of officers merely seniority should be looked into and, the workmen should be consulted and when the Bank had the power to take men from outside and when along with the outsiders they promoted B. Laxmanarao and G. Venkateswararao, it is strange that workmen have objected to their promotion. The short answer to this contention by the learned representative of the workmen is that his objection is not to the promotion as officers, but, it is due to the fact that they were juniors to Subbarao and Prabhakararao in the category of clerks. I considered both the contentions. As I held in deciding issue No. 1, discretion is left to the employer in the matter of promotions, paragraph 1(v) and paragraph 529 of the Sastry's award leaves discretion to the employer. If so, when there were no other persons with similar qualifications the employer's act of giving preference to them over Subbarao and Prabhakararao need not be questioned. It should be noted that the employer has admitted that he reverted these two employees from the post of accountants to the post of clerks, but, that he has designated them as officers-apprentices with some allowances. It was contended by the workmen that the practice of appointing officers-apprentices did not obtain in past. In my opinion, the workmen have not proved this. On the other hand, MWI, had stated that he was himself appointed as an officer-apprentice many long years ago. Moreover, by appointing officers-apprentices, the conditions of service of workmen are not affected. The two employees, though designated officers-apprentices are clerks only with chances of promotion. Chances of promotion cannot be conditions of service I, therefore, feel that as the practice of appointing officers-apprentices obtained in the Bank and is correct in principle and as the employer has discretion in such matters and these two persons are the best qualified of all the employees of the Bank, and, therefore, more qualified from the persons superseded viz., Prabhakararao and Subbarao, I feel that I should not upset the action taken by the employer regarding them. I hold accordingly.

7. I do not agree with the alternative contention of the learned advocate for the employer that as the promotions are to the cadre of officers, this dispute in respect of issue No. 2 is not an industrial dispute. I have already given the reason that what is contended is not promotions to the cadre of officers but that in the cadre of clerks seniority has been ignored.

8. My answer to issue No. 1, therefore, is that out of the 14 persons specified in the first issue the Union contended only the case of 9 persons [(i) to (ix)] and of them in my opinion, the supersession of 7 persons, except that of K. Ch. Veerabhadraraao and T. Sriramamurthy is justified. My answer is to the issue No. 2, that the action of the employer in making two employees B. Laxmanarao and G. Venkateswararao as officers-apprentices is not open to challenge.

Report accordingly to Government this 10th day of January, 1963.

U. S. ALI KHAN,
Industrial Tribunal.

WITNESSES EXAMINED BY PARTIES

By workmen:

1. WW1.—B. V. G. Krishnamurthy.

By employers:

1. MW1.—K. Sivarama Sastry.

LIST OF DOCUMENTS EXHIBITED

By workmen:

1. Ex.W 1.—Letter No. 15/498, dated 10th December 1961 addressed to the General Manager, Andhra Bank Ltd., Masulipatam (hereinafter referred to as the Bank) by the General Secretary, Andhra Bank Employees' Union, Regd. Masulipatam (hereinafter referred to as the Union).
2. Ex. W2.—Letter No. 10382 dated 15th December 1961 addressed to the Union from the Bank.
3. Ex. W3.—Letter No. 16/62, dated 29th January 1962, addressed to the Bank by the Union.
4. Ex. W4.—Letter No. 14/151, dated 15th March 1960, addressed to Bank by Union.
5. Ex. W5.—Minutes of the meeting held on 24th March 1962 before the Conciliation officer (Central) Visakhapatnam.
6. Ex. W6.—Letter No. 3/8265, dated 23rd October 1961, addressed to the Union by the Bank.
7. Ex. W7.—Letter No. 15/414, dated 9th October 1961, addressed to Bank by Union.
8. Ex. W8.—Letter No. 15/418, dated 10th October 1961, addressed to Bank by Union.
9. Ex. W9.—Letter No. 3/9118, dated 11th November 1961, addressed to Union by Bank.
10. Ex. W10.—Letter No. 3-8264, dated 23rd October 1961, addressed to Union by Bank.
11. Ex. W11.—True copy of the seniority list of Agents, sub-agents and Accountants of the Bank published in the Journal of 'The Andhra Bank officers' Association' in the issue of October, 1961.
12. Ex. W12.—Book of Instruction of the Bank.
13. Ex. W13.—Memorandum No. 3/39000, dated 8th May 1962, issued by the Bank explaining the position with regards to the promotions.
14. Ex. W14.—Letter No. 3/1482, dated 19th March 1960, addressed by the Bank to the Conciliation Officer (Central), Visakhapatnam.
15. Ex. W15.—Letter No. 3/805, dated 1st February 1962, by the Bank to the Conciliation Officer (Central), Visakhapatnam.
16. Ex. W16.—Letter No. 3/499, dated 4th October 1962, from the Agent of Chirala Branch addressed to Head office of the Bank forwarding the representation of M. V. Subbarao, godown keeper.
17. Ex. W17.—Letter No. 3/100, dated 28th October 1961, from the Sub-agent of Berhampur (Ganjam) to the Head office of the Bank forwarding the representation of Sri D. Malleswararao, godown keeper.
18. Ex. W18.—Letter No. 3/4925, dated 7th July 1961, addressed to the Agent of the Madras Bank, by the Supdt. of the Head office of the Bank, intimating him that the case of Sri K. Ramarao's promotion in order of seniority at opportune time.
19. Ex. W19.—Letter No. 3/8880, dated 8th November 1961, by the Bank written to the Agent of the Kakinada Branch explaining the case of K. Ramana's promotion was not considered.
20. Ex. W20.—Letter No. 3/10943, dated 28th December 1961, from the Asstt. Manager of the Bank addressed to the agent of Madras branch.
21. Ex. W21.—Letter No. 3/3914, dated 17th June 1960, addressed by the Supdt. of the Bank (Head office) to the sub-agent of Pithapuram branch, regarding the procedure for submission of petitions from the staff.
22. Ex. W22.—Office note dated 10th April, 1962 of the General Manager of the Bank placed before the Administrative committee together with the minutes of the meeting held before the Conciliation Officer, dated 24th March 1962.

23. Ex. W23.—Office note No. 8, dated 15th September 1961, of the Bank placed before the Administrative committee regarding recruitment and promotions to the Accountants' cadre.
24. Ex. W24.—Seniority list of clerical cadre staff as on 31st December 1960. (523 names).
25. Ex. W25.—Letter No. 13/87, from the Union to the Bank asking the latter to explain the duties and responsibilities of godown keepers, shroffs, etc.
26. Ex. W26.—Memorandum of settlement dated 11th April 1960, between the Bank and the Union over the issue of the creation of the positions of head-cashiers, arrived at before the Conciliation Officer (Central), Visakhapatnam, u/s. 12 I.D. Act, on 30th March 1960 and 11th April 1960.
27. Ex. W27.—October issue, Volume No. II of the journal of the 'Andhra Bank officers' association'.

By employers:

1. Ex. M1 series (M1/1 to M1/33).—Inspection reports, confidential reports of the promoted and overlooked candidates and some other correspondence between the Bank and the Union.
2. Ex. M2/1.—General Ledger for the year 1959.
3. Ex. M2/2.—Open Loan Stock Register of Visakhapatnam Branch of the Bank for the year 1959.
4. Ex. M2/3.—Consolidated charges of establishment of the Bank for the year 1958 of Amdalavasa branch.
5. Ex. M2/4.—Monthly return of the Bank in form No. XIII under the Banking Companies Act, 1949, of the Salur Branch.
6. Ex. M3.—Circular No. 144, dated 22nd July 1960 of the Bank regarding the resolutions passed on 3, 4 and 5th July 1960, by the Union.
7. Ex. M4.—Circular No. 97, dated 11th May 1960, by the Bank regarding the staff promotion policy.
8. Ex. M5.—Circular No. 40, dated 4th March 1960, regarding staff promotions.
9. Ex. M6.—Strike notice u/s. 23(1) of I.D. Act, given by the Union to the Bank on 15th March 1960.
10. Ex. M7.—Letter No. 3/978/F-2264, dated 25th February 1960, from the Bank to the Union regarding staff-headcashiers.
11. Ex. M8.—Letter No. 14/97, dated 19th February 1960, of the Union to the Bank regarding the creation of headcashiers.
12. Ex. M9.—Letter No. Staff 36/3211, dated 1st September 1959, from the Bank to the Union, regarding appointment of head-cashiers.
13. Ex. M10.—Lr. No. 13/407, dated 20th August 1959, of the Union to the Bank regarding the appointment of head-cashiers.
14. Ex. M11.—Lr. No. 3/1265/M-981, dated 10th March 1960, from the Bank to the Union regarding the creation of posts of head cashiers.
15. Ex. M12.—Lr. No. 14/C1, dated 7th March 1960, to the Bank by Union, on the subject of creation of headcashiers.
16. Ex. M13.—Office note of the Bank dated 14th September 1961, regarding promotions to the post of Accountants.
17. Ex. M14.—Copy of power attorney given in favour of agents, sub-agents, and accountants by the Bank.
18. Ex. M15.—Resolution No. 18, conferring certain additional powers on the Accountants.
19. Ex. M16.—Banks' Boards Resolution No. 7, dated 26th March 1960, delegating powers of taking disciplinary action against the staff.
20. Ex. M17.—Circular G.S. No. 293/ADV/92, dated 1st September 1962.
21. Ex. M18.—Memorandum of Settlement dated 23rd December 1957.
22. Ex. M19.—Extract from Board Meeting dated 4th July 1957 delegating powers to agents, sub-agents or other officers for acting on behalf of Bank.
23. Ex. M20.—Personal file of M. V. Subbarao.
24. Ex. M21.—Personal file of K. Ramana.

25. Ex. M22.—Personal file of K. Ch. Vecrabhadrarao.
26. Ex. M23.—Personal file of D. Malleswararao.
27. Ex. M24.—Personal file of U. Anjeneyulu.
28. Ex. M25/1.—Personal file of P. Butchiraju.
29. Ex. M25/2.—Personal file of P. Butchiraju.
30. Ex. M26.—Personal file of K. Laxminarayana.
31. Ex. M27.—Personal file of P. Sriramamurthy.
32. Ex. M28.—Personal file of K. Ramarao.
33. Ex. M29.—Personal file of D. Laxminarayananmurthy.
34. Ex. M30.—Personal file of M. Subbarao.
35. Ex. M31/1.—Personal file of A. Ramachandrasastry.
36. Ex. M31/2.—Personal file of A. Ramachandrasastry.
37. Ex. M32.—Personal file of B. Kondayya.
38. Ex. M33.—Personal file of M. Krishnarao.
39. Ex. M34.—Personal file of V. V. Ramalingeshwararao.
40. Ex. M35.—Personal file of G. Hanumantharao.
41. Ex. M36.—Personal file of M. Sadasivarao.
42. Ex. M37.—
43. Ex. M38.—Personal file of M. Krishnamurthy.
44. Ex. M39.—Personal file of A. Suryanarayana.
45. Ex. M40.—Personal file of M. Narasimharao.
46. Ex. M41.—Personal file of T. Chandrasekhararao.
47. Ex. M42.—Personal file of K. Purnachandraraao.
48. Ex. M43.—Personal file of R. Narasimhamurthy.
49. Ex. M44.—Personal file of C. R. Talpasayee.
50. Ex. M45.—Personal file of A. Ramachandrarao.
51. Ex. M46.—Personal file of C. Ramamohanarao.
52. Ex. M47.—Personal file of A. Subbarao.
53. Ex. M48.—Personal file of D. V. Ramasastry.
54. Ex. M49.—Personal file of C. Radhakrishna.
55. Ex. M50.—Personal file of M. Vatapatrasayee.
56. Ex. M51.—Personal file of M. Rajgopalarao.
57. Ex. M52.—Personal file of V. Krishnamurthy.
58. Ex. M53.—Personal file of K. Venkatappayya.
59. Ex. M54.—Personal file of P. S. Krishnamurthy.
60. Ex. M55.—Personal file of G. Manmadarao.
61. Ex. M56.—Personal file of V. V. Satyanarayananmurthy.
62. Ex. M57.—Personal file of B. N. Raghumadhavarao.
63. Ex. M58.—Personal file of T. S. Hemachandraraao.
64. Ex. M59.—Personal file of Y. V. Ramakrishnarao.
65. Ex. M60.—Personal file of D. D. Rajarao.
66. Ex. M61.—Personal file of B. Laxmanarao.
67. Ex. M62.—Personal file of G. Venkateshwarao.
68. Ex. M63.—List of staff at Visakhapatnam branch.
69. Ex. M64.—Staff strength of Vizianagaram branch.
70. Ex. M65.—Staff strength of Nidadavolu branch.
71. Ex. M66.—Staff strength of Kakinada branch.
72. Ex. M67.—Staff strength of Tenali office.
73. Ex. M68.—Staff strength of Maharanipet branch.
74. Ex. M69.—Staff strength of Hyderabad branch.
75. Ex. M70.—Staff strength of Masulipatam branch.

76. Ex. M71.—Staff strength of Repalle office.
77. Ex. M72.—Staff strength of Samalkot office.
78. Ex. M73.—Staff strength of Guntur branch.
79. Ex. M74.—Staff strength of Ongole branch.
80. Ex. M75.—Staff strength of Pithapuram branch.
81. Ex. M76. -Staff strength of Tirupati office.
82. Ex. M77.—Inspection report of Madras office.
83. Ex. M78. Staff strength of Amdalavalasa branch.
84. Ex. M79.—Staff strength of Srikakulam branch.
85. Ex. M80.—Index register of employees' record service of Bank.
86. Ex. M80/1 to Ex. M80/10.—Record of service of several employees of Bank. (Registers).

M. S. ALI KHAN,
Industrial Tribunal.
[No. 51(16)/62-LRIV.]

G. JAGANNATHAN, Under Secy.

**MINISTRY OF COMMERCE AND INDUSTRY
ORDER**

New Delhi, the 19th January 1963

S.O. 236—IDRA/6/15.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with rules 2, 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints, for a period of two years with effect from the date of this Order, the following persons to be members of the Development Council for the Scheduled industries engaged in the manufacture or production of Organic Chemicals, in place of members appointed under the Government of India, Ministry of Commerce and Industry Order No. S.O. 2877, dated the 28th November 1960, as amended from time to time, whose term of office has expired by efflux of time or otherwise:—

DEVELOPMENT COUNCIL FOR ORGANIC CHEMICAL INDUSTRIES

Chairman

1. Shri Arvind N. Mafatlal, M/s. National Organic Chemical Industries Ltd., Mafatlal House, Backbay Reclamation, Bombay-1.

Members

2. Shri D. R. Dani, M/s. Upper Ganges Sugar Mills Ltd., Seohara (District Bijnor).
3. Shri D. M. Trivedi, M/s. Synthetic and Chemicals Ltd., Bank of Baroda Annex Building, 3rd Floor, 12, Appollo Street, Bombay-1.
4. Shri B. B. Ramaiah, M/s. The Andhra Sugars Ltd., Tanuku (West Godavari District, Andhra Pradesh).
5. Shri R. K. Parekh, M/s. Sree Ram Mills Ltd., Ferguson Road, Lower Parel, Bombay-13.
6. Dr. C. J. Dadachanji, M/s. Union Carbide India Ltd., 1 and 3, Brabourne Road, P.O. Box No. 2170, Calcutta-1.
7. Shri N. M. Shah, M/s. Atul Drug House Private Ltd., 85, Dr. Annie Besant Road, Worli, Bombay-18.
8. Dr. Arvind M. Desai, M/s. Esso Standard Eastern Inc. Post Box No 355, Bombay-1.
9. Dr. R. Goncalves, M/s. Burmah Shell Oil Storage & Distribution of India Ltd., Burmah-Shell House, Ballard Estate, Bombay-1.
10. Shri J. S. Hewitt, M/s. Tata Fison Private Ltd., Union Bank Building, Dalal Street, Fort, Bombay-1.
11. Shri M. Ct Pethachi, M/s. The Travancore Rayens Ltd., 150-A, Mount Road, 3rd floor, P.B. No. 2711, Madras-2.

12. Shri T. W. Bhojwani, M/s. Bright Brothers Pvt. Ltd., 156-A, Tardeo Road, Bombay-7.
 13. Shri Khemani, M/s. National Moulding Co. Ltd., 26, Upper Chitpore Road, Calcutta 7.
 14. Dr. H. N. Patel, M/s. Bakelite (India) Pvt. Ltd., India House Post Box No. 1948, Bombay-1.
 15. Shri Ramen Patel, M/s. Bhor Industries Ltd., 392, Cadwell Road, Bombay.
 16. Shri J. H. Doshi, M/s. Amar Dye-Chem Ltd., Rang Udyan, Sitaldevi Temple Road, P.B. No. 6471, Mahim, Bombay-16.
 17. Shri Kalyan Sen, M/s. Allied Resins & Chemicals (Pvt.) Ltd., 10-1, Elgin Road, Calcutta-20.
 18. Shri N. M. Dadachanji, M/s. Hind Dyes Mfg. Co. Ltd., 62, Caribdas Street, Vadgadi, Bombay-3.
 19. Shri Santokh Singh, M.P., M/s. National Chemical Industries, 26, Najafgarh Road, New Delhi-15.
 20. Shri J. Dick, M/s. Imperial Chemical Industries (India) Pvt. Ltd., I.C.I. House, 34, Chowinghee, P.B. No. 182, Calcutta-1.
 21. Shri S. Kasturbhai, M/s. The Atul Products Ltd., Post Atul, Western Railway, Distt. Surat.
 22. Shri Charat Ram, M/s. Rajasthan Vinyl and Chemical Industries, Bara Hindu Rao, Post Box No. 1039, Delhi.
 23. Shri V. S. Thyagaraja Mudaliar, Express Estates, Mount Road, Madras-2.
 24. Shri N. Chidambaram, Deputy Secretary, Ministry of Commerce and Industry, New Delhi.
 25. Shri Joginder Singh, Development Officer, Ministry of Economic and Defence Coordination, (Dept. of Technical Development), New Delhi.
 26. Shri S. L. Venkiteswaran, Development Officer, Ministry of Economic and Defence Coordination, (Dept. of Technical Development), New Delhi.
 27. Shri G. Jaya Rama Rao, Chemical Engineer, Ministry of Mines and Fuel, North Block, New Delhi.
 28. Dr. M. G. Krishna, Deputy Director, Indian Institute of Petroleum, Mathura Road, New Delhi.
 29. Shri Ramsinghbhai Verma, Indian National Trade Union Congress, 17, Janpath, New Delhi.
2. Shri S. L. Venkiteswaran, Development Officer, Ministry of Economic and Defence Coordination, New Delhi, is hereby appointed to carry on the functions of the Secretary to the said Development Council.

[No. 1(15)/L.Pr./62.]

K. J. GEORGE, Dy. Secy.

(Department of International Trade)

ORDER

EXPORT TRADE CONTROL

New Delhi, the 26th January 1963

S.O. 237.—In exercise of the powers conferred by Section 3 of the Imports and Exports (Control) Act, 1947 (18 of 1947), as in force in India, the Central Government hereby makes the following further amendments to the Export (Control) Order, 1962, namely:—

“In part A of the Schedule I to the above Order, the following entries of item (8) shall be omitted:—

8. Rubber manufactures, the following:—

- (i) Giant tyres, tubes and flaps;
- (ii) Earth Mover/Excavator/Grader (off the road), Tyres, Tubes and Flaps;
- (iii) Aero tyres and tubes and
- (iv) Tractor tyres and tubes.

"In part B of the Schedule I to the above Order, after item 33, the following entries shall be added:—

34. Rubber manufactures, the following:—

- (i) Giant tyres, tubes and flaps;
- (ii) Aero tyres and tubes.

[No. 2A/1/62-Export.]

H. K. SINGH, Dy. Secy.

(Office of the Deputy Chief Controller of Imports & Exports)

(Central Licensing Area)

NOTICE

New Delhi, the 28th December 1962

S.O. 238.—It is hereby notified that in exercise of the powers conferred by Clause-9 of the Import (Control) Order, 1955, in the Government of India, in the Ministry of Commerce and Industry purpose to cancel Import Licence No. A667142/61, dated 2nd February, 1962, for import of Sewing Machine Parts for Rs. 10,000, granted by the Deputy Chief Controller of Imports (Central Licensing Area), New Delhi to M/s. Saroj Industries, Industrial Estate, Srinagar (Kashmir) unless sufficient cause against this is furnished to the Deputy Chief Controller of Imports and Exports (Central Licensing Area) New Delhi, within ten days of the date of issue of this notice by the said M/s. Saroj Industries, Industrial Estate, Srinagar, or any Bank, or any other party who may be interested in it.

2. The grounds of the proposed cancellation of the licence in question is that the M/s. Saroj Industries, Industrial Estate, Jammu have failed to show relevant record maintained by them to the Director of Industries Srinagar, (Kashmir) and the utilization of the material was not supported by them by any documentary evidence.

3. In view of what is stated above, M/s. Saroj Industries, Industrial Estate, Jammu or any Bank or any other party who may be interested in the said licence No. A 667142/61, dated 2nd February, 1962, are hereby directed not to enter into any commitments against the said licence and return the same immediately to the Deputy Chief Controller of Imports and Exports (Central Licensing Area), Janpath Barracks 'B', New Delhi.

[No. DCCI-I(CLA)/237/62.]

RAM MURTI SHARMA,

Dy. Chief Controller of Imports and Exports.

(Office of the Joint Chief Controller of Imports & Exports)

NOTICE

Bombay, the 2nd January 1963

S.O. 239.—It is hereby notified that in exercise of the powers conferred by Clause 9(a) of the Imports (Control) Order, 1955, the Government of India, in the Ministry of Commerce and Industry, propose to cancel the following licences granted by the Jt. Chief Controller of Imports & Exports, Nou Bhavan, Nicol Road, Ballard Estate, Bombay-1 to M/s. M.P.A. Corporation, 177/183, Girgam Road, Bombay-4 unless sufficient cause against this is furnished to the Dy. Chief Controller of Imports & Exports, Nou Bhavan, Nicol Road, Ballard Estate, Bombay-1 within 10 days of the date of issue of this Notice by the said M/s. M.P.A.

Corporation, 177/183, Girgam Road, Bombay-4 or any Bank or any other party, who may be interested in them:—

S. No.	Licence No. and date	Value in Rs.	Description of goods	Area
1.	A. 626500 2-2-1962.	561/-	Diamino Stilbene Disulphonic Acid.	General Area except South and South West Africa.
		307/- 93/-	Cynuric Chloride. Metalinic Acid.	
2.	A. 630475 10-4-1962.	600/-	Isoborneol.	Do.

The above licences were obtained on the basis of the Essentiality Certificate which was secured by M/s. M.P.A. Corporation, 177/183, Girgam Road, Bombay-4, from the Director of Industries, Maharashtra by misrepresentation of facts.

In view of what is stated above M/s. M.P.A. Corporation, Bombay-4 or any Bank or any other party who may be interested in the above mentioned licences are hereby directed not to enter into any commitments against the said licences and to return them immediately to the Dy. Chief Controller of Imports and Exports, Bombay.

[No. 1/251/62/CDN.II.]

R. R. KIRPALANI,
Dy. Chief Controller.

(Indian Standard Institution)

New Delhi, the 8th January 1963

S.O. 240.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby notifies that twenty-eight licences, particulars of which are given in the Schedule hereto annexed, have been renewed.

THE SCHEDULE

SL No.	Licence No. and date	Period of Validity		Name and Address of the Licensee see	Article/Process covered by the Licence	Relevant Indian Standard
		From	To			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM/L-24 19-12-1956	1-1-63	31-12-63	M/s Light Metal Works, New Sun Mill Compound, Delisle Road, Bombay-13.	Wrought Aluminium and Aluminium Alloy Utensils	IS : 21-1959 Specification for Wrought Aluminium and Aluminium Alloys for Utensils (Second Revision).
2	CM/L-41 10-12-1957	16-12-62	15-12-65	M/s Carew & Co. Ltd., Nasamuda, Asansol (West Bengal)	Rectified Spirit, Grade I	IS : 323-1959 Specification for Rectified Spirit (Revised).
3	CM/L-110 23-12-1958	1-1-63	31-12-63	The Jaipur Metals & Electricals Ltd., Near Railway Station, Jaipur.	Hard-Drawn Copper Solid Circular Conductors for Over-head Power Transmission Purposes.	IS : 282-1951 Specification for Hard-Drawn Copper Solid and Stranded Circular Conductors for Overhead Power Transmission Purposes (Tentative)
4	CM/L-111 16-12-1958	1-1-63	31-12-63	M/s Beliaghata Timber Works P. Ltd., 28-B, Chaulpatty Road, Calcutta-10.	Tea-Chest Plywood Panels	IS : 10-1953 Specification for Plywood Tea-Chests (Revised)
5	CM/L-112 26-12-1958	1-1-63	31-12-63	The Kesar Sugar Works Ltd., 45-47, Appollo Street, Fort, Bombay-1.	Hydroquinone, Photographic Grade.	IS : 388-1958 Specification for Hydroquinone, Photographic Grade.
6	CM/L-146 28-9-1959	5-1-63	4-1-64	M/s Bharat Pulverising Mills Pvt. Ltd., 38-A, Sayani Road, Bombay-28.	BHC Water Dispersible Powder Concentrates.	IS : 562-1958 Specification for Water Dispersible Powder Concentrates (Revised)

(1)	(2)	(3)	(4)	(5)	(6)	(7)
7	CM/L-157 23-12-1959	1-1-63	31-12-63	M/s Shamsher Sterling Cable Corporation Ltd., Vaswani Mansions, Dinska Wacha Road, Bombay-I.	Rubber-Insulated Cables, TRS, Tough Rubber Sheathed, Type 250 Volts Grade and Vulcanised Rubber-Insulated Cables, Taped Untaped, Braided and Compounded, Type 250 Volts and 660 Volts Including Weather-proof cables	IS : 434-1953 Specification for Rubber-Insulated Cables and Flexible Cords for Electric Power and Lighting (For Working Voltages Up to and Including 11 kV)
8	CM/L-244 28-II-1960	15-12-62	14-12-63	M/s Indian Plastics Ltd., Poisar Bridge, Kandivli, Bombay-67.	Phenol-Formaldehyde Moulding Powder (For General Purpose Mouldings)	IS : 1300-1959 Specification for Phenol-Formaldehyde Moulding Powder (for General Purpose Mouldings)
9	CM/L-245 28-II-1960	15-12-62	14-12-63	M/s TIPCO The Industrial Plastics Corporation Ltd., 4 Hanman Street, Fort, Bombay-I.	Phenol-Formaldehyde Moulding Powder (For General Purpose Mouldings)	IS : 1300-1959 Specification for Phenol-Formaldehyde Moulding Powder (For General Purpose Mouldings)
10	CM/L-246 28-II-1960	15-12-62	14-12-63	M/s. Research Chemical Laboratories, Lattice Bridge Road, Adayar, Madras-20.	Ferro-Gallo Tannate Fountain Pen Ink (0.1 Per cent Iron Content)	IS : 220-1959 Specification for Ferro-Gallo Tannate Fountain Pen Ink (0.1 Percent Iron Content) (Revised)
11	CM/L-248 19-12-1960	20-12-62	19-12-65	M/s. Kaira District Co-operative Milk Producers' Union Ltd., Anand (W.R.) Kaira Distt., Gujarat State.	Infant Milk Foods	IS : 1547-1960 Specification for Infant Milk Foods
12	CM/L-249 19-12-1960	1-1-63	31-12-63	M/s. Delton Cable Company, 3457, Delhi Gate, Delhi.	PVC Cables and Cords	IS:694-1960 Specification for PVC Cables and Cords for Electric Power and Lighting for Working Voltages Upto and including 650 Volts to Earth
13	CM/L-250 26-12-1960.	1-1-63	31-12-63	M/s. Krishnaveni Ink Factory, 292 Tiruvottiyur High Road, Madras-21.	Ferro-Gallo Tannate Fountain Pen Ink (0.1 per cent Iron Content)	IS:220-1959 Specification for Ferro-Gallo Tannate-Fountain Pen Ink (0.1 Per cent Iron Content) (Revised)

14	CM/L-251 26-12-1960	1-1-63	31-12-63	M/s. Krishnaveni Ink Factory, 292 Tiruvottiyur High Road, Madras-21.	Dye-Based Fountain Pen Inks, Blue Green, Violet, Black & Red	IS: 1221-1957 Specification for Dye-Based Fountain Pen Inks (Blue, Green, Violet, Black and Red)
15	CM/L-252 26-12-1960	1-1-63	31-12-63	M/s Tata-Fison Ltd., Union Bank Building, Dalal Street, Bombay-1.	Copper Oxychloride Water Dis- persible Powder Concentrates	IS: 1507-1959 Specification for Copper Oxychloride Water Dispersible Powder Concen- trates
16	CM/L-253 26-12-1960	1-1-63	31-12-63	M/s. Travancore Chemical and Manufacturing Co. Ltd., Man- jumal, Alwaye.	Copper Oxychloride Water Dispersible Powder Concentrates	IS: 1507-1959 Specification for Copper Oxychloride Water Dispersible Powder Concern- trates
17	CM/L-254 26-12-1960	1-1-63	31-12-63	M/s. Swastik Rubber Products Ltd., "Swastik House", Kirkee, Poona-3.	Rubber-Insulated Cables, VIR, Taped/Untaped, Braided and Compounded, Type 250 ₁ Volts and 660 Volts Grade	IS: 434-1953 Specification for Rubber-Insulated Cables and Flexible Cords for Electric- Power and Lighting (For Work- ing Voltages Upto and Includ- ing 11 kV)
18	CM/L-255 29-12-1960	1-1-63	31-12-63	M/s Shree Ram Oil and General Mills, Gurgaon (Punjab).	Corn Flakes . . .	IS: 1158-1957 Specification for Corn Flakes
19	CM/L-356 20-11-1961	27-12-62	26-12-63	M/s Zeta Industrial Corporation Pvt. Ltd., No. 14 F, Govind- puri, Modinagar, Distt. Meerut.	Metal Clad Switches, Capacity Upto 60 Amperes, 250 and 500 Volts	IS : 1567-1960 Specification for Metal Clad Switches Current Rating Not Exceeding 100 Amperes,
20	CM/L-361 27-11-1961	15-12-62	14-12-63	M/s Modi Vanaspati Manufac- turing Co., Modinagar, Distt. Meerut (U.P.)	18-Litre Square Tins	IS: 916-1958 Specification for 18-Litre Square Tins
21	CM/L-363 30-11-1961	15-12-62	14-12-63	M/s. New India Electric Corpora- tion, 37 F, Parel Road, Cross Lane, Chinchpokli Bombay-12	Three-Phase Induction Motors Upto 10 H.P. only.	IS: 325-1961 Specification for Three-Phase Induction Motors (Second Revision)
22	CM/L-365 12-12-1961	1-1-63	31-12-63	M/s. Ditz Electricals (India) Ltd., 29, Malkajgiri Road, Delhi-6.	Electric Portable Immersion Heaters for Domestic Use (500 Watts to 4000 Watts Capacity)	IS: 368-1952 Specification for Electric Portable Immersion Heaters for Domestic Use
23	CM/L-366 15-12-1961	1-1-63	31-12-63	M/s. Tungabhadra Industries Ltd., Kurnool/Andhra Pradesh)	18-Litre Square Tins	IS: 916-1958 Specification for 18- Liter Square Tin

(1)	(2)	(3)	(4)	(5)	(6)	(7)
24	CM/L-367 15-12-1961	1-1-63	31-12-63	M/s Bharat Pulverising Mills (Private) Ltd., 589, Thiruvottiyur High Road, Madras-19.	Endrin Emulsifiable Concentrates	IS: 1310-1958 Specification for Endrin Emulsifiable Concentrates
25	CM/L-368 22-12-1961	1-1-63	31-12-63	M/s Electrical Instruments Manufacturing Company, Opp. A.P.I., Bombay-Agra Road, Bhandup, Bombay.	Metal Clad Switches Capacity Upto 15 Amperes, 250 and 500 Volts	IS: 1567-1960 Specification for Metal Clad Switches (Current Rating Not Exceeding 100 Amperes)
26	CM/L-369 22-12-1961	1-1-63	31-12-63	The D.C.M. Container Works, Najafgarh Road, New Delhi-15	18-Litre Square Tins	IS: 916-1958 Specification for 18-Litre Square Tins
27	CM/L-370 22-12-1961	1-1-63	31-12-63	M/s Excel Industries Pvt. Ltd., 184-87 Ghodbunder Road, Jogeshwari, Bombay-60	Zinc Phosphide Technical	IS: 1251-1958 Specification for Zinc Phosphide, Technical
28	CM/L-371 22-12-1961	1-1-63	31-12-63	M/s. Pesar Oil Industries, Varasdapeth, Akola	18-Litre Square Tins	IS: 916-1958 Specification for 18-Litre Square Tins

[No. MD 12: 84]

S.O. 241.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institutions (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby notifies that fourteen licences, particulars of which are given in the Schedule hereto annexed have been granted authorising the licensee to use the Standard Mark.

THE SCHEDULE

Serial No.	Licence No. and Date	Period of Validity		Name and address of the Licensee	Article/Process covered by the Licence	Relevant Indian Standard
		From	To			
1	2	3	4	5	6	7
1	CM/L-482 3-12-1962	15-12-62	14-12-63	M/s. Kamani Metals and Alloys Ltd., Agra Road, Kurla, Bombay-70.	Brass Sheet, Grade B, 63 only.	IS: 410-1959 Specification for Rolled Brass Plate, Sheet, Strip and Foil (Revised)
2	CM/L-483 5-12-1962.	15-12-62	14-12-63	M/s. Lakh Trading Co., Village Road, Bhandup, Bombay-78 having their office at 2nd Jai Hind Estate, Building No. 2, Bhuleshwar, Bombay-2.	Wrought Aluminium Utensils, Grade SIC.	IS : 21-1959 Specification for Wrought Aluminum and Aluminum Alloy or Utensils (Second Revision)
3	CM/L-484 20-12-1962.	1-1-63	31-12-63	M/s. Vijaya Foundry, T.S. No. 10/1075/3, Palakkulam Road, Pappanackenpallyam, Coimbatore.	Horizontal Centrifugal Pump, for Clear, Cold, Fresh Water, Size 25 mm x 25 mm to 100 mm x 100 mm.	IS : 1520-1959 Specification for Horizontal Centrifugal Pumps for Clear, Cold Fresh Water
4	CM/L-485 20-12-1962	1-1-63	31-12-63	M/s. Glenfield & Kennedy Ltd., 4, Fairlie Place, Fairlie House, Calcutta-1.	Sluice Valves for Water Works Purposes.	IS : 730-1956 Specification for Sluice Valves for Water Works Purposes
5	CM/L-486 20-12-1962.	1-1-63	31-12-63	M/s. Guntam Electric Motors Pvt. Ltd., 42, Okhla Industrial Estate, New Delhi-20.	Fractional Horse Power Three Phase Induction Motors from 1/4 H.P. to 1 H.P.	IS : 995-1959 Specification for small AC and Universal Electric Motors with Class 'A' Insulation.
6	CM/L-487 26-12-1962	15-1-63	14-1-64	M/s. Sulekha Works Ltd., Sulekha Park, Jadavpur, Calcutta-32.	Ink, Drawing, Waterproof, Black	IS: 789-1955 Specification for Ink, Drawing, Waterproof, Black
7	CM/L-488 26-12-1962.	15-1-63	14-1-64	M/s. Hindustan Chains Pvt. Ltd., G.T. Road, P.O. Pasonda, Ghaziabad.	Bicycle Chains	IS : 627-1961 Specification for Bicycle Chains (Revised).

(1)	(2)	(3)	(4)	(5)	(6)	(7)
8	CM/L-489 26-12-1962.	15-1-63	14-1-64	M/s. Bhangar Bros & Co. Private Ltd., 142/48, Ghodbunder Road Jogeshwari, Bombay-60, having their Registered Office at Anand House, 158, Kalbadevi Road, Bombay-2.	Three-Phase Induction Motors up to 2 H.P. only	IS: 325-1961 Specification for Three Phase Induction Motors (Second Revision)
9	CM/L-490 26-12-1962.	15-1-63	14-1-64	M/s. Bhangar Bros & Co. Private Ltd., 142/48 Ghodbunder Road, Jogeshwari, Bombay-60 having their Registered Office at Anand House, 158, Kalbadevi Road, Bombay-2.	Fractional Horse Power Electric Motors	IS 996-1959 Specification for Small AC and Universal Electric Motors with Class 'A' Insulation. ¹
10	CM/L-491 26-12-1962.	15-1-63	14-1-64	M/s Ganapathy Engineering Manufacturers Private Ltd., Ganapathy, Coimbatore-6.	Metal Clad Switches, Capacity up to 30 Amps 250 and 300 Volts	IS : 1567-1960 Specification for Metal Clad Switches (Current Rating not Exceeding 100 Amperes).
11	CM/L-492 26-12-1962.	15-1-63	14-1-64	M/s. Alma Electrical Corporation Private Ltd., 12, Indrani Park, Calcutta-33 having their office at 5, Hastings Street, Calcutta-1.	Metal Clad Switches 15 Amps., 250 Volts only	IS : 1567-1960 Specification for Metal Clad Switches (Current Rating not Exceeding 100 Amperes).
12	CM/L-493 26-12-1962.	15-1-63	14-1-64	M/s. Shambu Nath & Sons, Ltd., G.T. Road, Amritsar.	Ammonium Chloride, Pure	IS : 1113-1957 Specification for Ammonium Chloride, Pure
13	CM/L-494 31-12-1962.	15-1-63	14-1-64	M/s. C.M.C. (India), Survey No. 529, Near Electricity Sub-Station, Odhay Road, Allahabad-10.	Ultramarine Blue for Paints	IS : 55-1950 Specification for Ultramarine Blue for Paints
14	CM/L-495, 31-12-1962.	15-1-63	14-1-64	M/s. Feroke Tile Works, Feroke (Kerala State).	Salt-Glazed Stoneware Pipes and Fittings of dia 100 mm, 150 mm, and 300 mm	IS 251-1952 Specification for Salt Glazed Stoneware Pipes and Fittings (Revised)

[No. MD, 12:934]

New Delhi, the 14th January 1963

S.O. 242.—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are given in the Schedule hereinafter annexed, have been established during the period 20th December 1962 to 13th January 1963.

THE SCHEDULE

Sl. No. and Title of the Indian Standard established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars	
(1)	(2)	(3)	(4)
1 IS:210-1962 Specification for Grey Iron Castings (<i>Revised</i>)	IS:210-1950 Specification for Grey Iron Castings.	This standard covers the requirements for grey iron castings. (Price Rs. 3.00).	
2 IS:800-1962 Code of Practice for Use of Structural Steel in General Building Construction (<i>Revised</i>).	IS:800-1956 Code of Practice for Use of Structural Steel in General Building Construction	This code applies to the use of structural steel in general building construction. Special provisions covering the design and fabrication of structures using steel tubes and sections cold formed from light gauge sheet and strip, and of bridges, cranes, tanks, transmission line towers, radio masts etc., are dealt within separate codes, some of which are already published and some are under preparation. (Price Rs. 10.00).	
3 IS:837-1962 Specification for Doffer and Flat Stripping Comb Blades	..	This standard prescribes the requirements of doffer comb blade and flat stripping comb blade for use in revolving flat carding engine of 1016 mm width. (Price Re. 1.00).	
4 IS:844-1962 Specification for Screw Drivers	..	This standard covers the requirements of material, workmanship and tests for screw drivers of the various types intended for slotted head machine and wood screws and Phillips head screws. (Price Rs. 3.50).	
5 IS:2069-1962 Specification for Drums for Covered Winding Wire; and Strips for Electrical Purposes.	..	This standard prescribes the dimensional requirements for drums for covered winding wires and strips for electrical purposes. It includes essential requirements for materials, construction, reeling, wrapping, labelling and marking. (Price Rs. 1.50).	

(1)	(2)	(3)	(4)
6	IS:2070-1962 Method of Impulse Voltage Testing	..	This standard covers the methods of generation application and measurement of standard impulse voltage waves for impulse testing of electrical equipments, apparatus, of installations (Price Rs. 3.00).
7	IS:2107-1962 Specification for Whiteheart Malleable Iron Castings.	..	This standard covers the requirements for whiteheart malleable iron castings (Price Rs. 2.00).
8	IS:2140-1962 Specification for Stranded Galvanized Steel Wire for Fencing	..	This standard covers the requirements for galvanized strand fencing wire of 3-ply and 7-ply constructions (Price Re. 1.00).
9	IS:2141-1962 Specification for Galvanized Stay Strand	..	This standard covers the requirements for galvanized stay strand for telegraph and telephone poles, transmission line poles, signal posts, railway track signals, etc. ; and also for earthing in power transmission lines (Price Re. 1.00).
10	IS:2149-1962 Specification for Luminaires for Streetlighting.	..	This standard covers streetlighting luminaires rated for a maximum voltage of 250 V and used on public thoroughfares and on industrial service roads and is limited to their constructional, mechanical and electrical features (exclusive of auxiliaries and lamps) with the aim of ensuring safety, durability and ease of maintenance. (Price Rs. 3.00).
11	IS 2181-1962 Specification for Household Sewing Machine Needles.	..	This standard covers the requirements of sewing machine needles of standard sizes, namely No. 65, 75, 90, 100, 110, 120 and 130 (Price Re. 1.00).
12	IS:2205-1962 Specification for Tube Inflated Football Bladders	..	This standard covers the requirements of tube inflated football bladders of Sizes A and B which are equivalent to Sizes 4 and 5 commonly known in the trade (Price Re. 1.00).

Copies of these Indian Standards are available, for sale, with the Indian Standards Institution, Manek Bhavan, 9 Mathura Road, New Delhi-1, and also at its Branch Offices at (i) 132 Dr. Dadabhai Naoroji Road, Fort, Bombay-1, (ii) Third Floor, 11 Sooterkin Street, Calcutta-13 (iii) 2/21 1st Line Beach, Madras, 1, (iv) 14/69 Civil Lines, Kanpur.

[No. MD/13:2]

C. N. MODAWAL,
Head of the Certification Marks Division.

ERRATUM

In Ministry of Commerce and Industry Notification No. 1(1) plant(B)/62, dated 14th December, 1962, published in the Gazette of India Part II—Section 3(ii) dated 22nd December, 1962, as S.O. 3813, the following Correction is to be made.—

Page 4144, 6th line of the notification:—

*for "18th April, 1955"
read "18th April, 1965"*

**MINISTRY OF FINANCE
(Department of Economic Affairs)**

CORRIGENDUM

New Delhi, the 21st January 1963

S.O. 243.—In pages 5 and 9 respectively of Part II, Section 3, Sub-section (ii), of the Gazette of India Extraordinary, 1963,—

- (i) *for the word and figure "Pausa 19", read the word and figure "Pausa 20"; and*
- (ii) *for the word and figure "Pausa 19" read the word and figure "Pausa 20".*

[No. F. 7(26)SB-63]

R. K. SESHADRI, Dy. Secy.

